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REPORTS OF COMMITTEES

OF THE

SENATE OF THE UNITED STATES

FOR THE

FIRST SESSION OF THE FORTY-EIGHTH CONGRESS.

1883-'84.

IN SEVEN VOLUMES.

Volume 1.—Nos. 3 to 147, inclusive.

Volume 2.—Nos. 148 to 343, inclusive.

Volume 3.—Nos. 344 to 490, inclusive.

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SENATE OF THE UNITED STATES

FOR THE

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[NOTE.—Only 200 copies of Report No. 2 printed, for the use of the Senate.]

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IN THE SENATE OF THE UNITED STATES.

MAY 27, 1884.—Ordered to be printed.

Mr. LAPHAM, from the Committee on Privileges and Elections, submitted the following

REPORT:

The Committee on Privileges and Elections who were directed by the Senate to inquire into the alleged massacre of colored men at Danville, in the State of Virginia, on the 3d day of November last, pursuant to the following resolution :

Whereas among the expressed objects for which the Constitution of the United States was established were those to establish justice and insure domestic tranquillity; and

Whereas the Constitution provides for the security to all citizens of equal civil rights, and to all citizens the privileges and immunities that belong to the condition of citizenship, and that the right of the citizens of the United States to vote shall not be denied by the United States, or any State, on account of race, color, or previous condition of servitude, and further provides "that no State shall deny to any person within its jurisdiction the equal protection of the laws"; and

Whereas among the privileges and immunities inherent in citizenship are the right peaceably to assemble for the consideration of questions of State and national concern, and safely to discuss the same, and the right to exercise the elective franchise in every State freely and without molestation or intimidation; and

Whereas a general election was to occur, and did occur, in the the State of Virginia on the 6th day of November, 1883; and

Whereas it is alleged and currently reported in the public press that on or about the 3d day of November, 1883, at Danville, in said State, a large number of peaceable citizens of the United States and of said State were violently assailed by an organized body of men and fired upon, and several of them killed, by said armed men, conspiring to affect, and with the purpose of affecting, the result of said election so about to occur, by creating, by means of such unlawful violence and homicide, a state of alarm on the part of peaceable citizens throughout said State, which should induce them to refrain from voting or to vote differently from their previous intentions at said election; and

Whereas it is alleged that all the victims of said attack were of one race and of one political party, and all their assailants of another; and

Whereas it is alleged that the authorities of said State of Virginia have not brought any of the persons connected with said alleged conspiracies, violence, and homicides before the courts of justice for examination or trial, whereby the equal rights of citizenship and the equal protection of the laws have not been secured to all the people of said State; and

Whereas a general election was to occur, and did occur, in the State of Mississippi on the 6th day of November, 1883; and

Whereas it is alleged and currently reported in the public press that prior to said election, in the county of Copiah, State of Mississippi, there was an organized movement by members of one party to prevent members of another party from voting at that election, and to prevent the free and open discussion and expression of political opinions; that this purpose was carried into execution by organized plans of terror and violence; that the means used for that purpose were by lawless and organized mobs, moving by night and by day, assaulting, and in some cases, killing lawful voters, with a view, by terror and fear of violence, to deter others from voting; that this violence was committed by one party upon the members of another party, with a view to deprive the latter of their constitutional rights, and extended throughout the said county of Copiah and into portions of other counties of that State; that, as a part of this general plan and conspiracy, one J. P. Matthews, a peaceable and law-abiding citizen of Copiah County, was warned not to vote, and upon his voting on the day of election was murdered at the place of election by a person selected for that purpose, and with the approval, express or implied, of the officers of election, and no effort was made to punish the murderers; that this killing was subsequently approved by a public meeting in said county, composed strictly of members of one party, and the following resolutions were adopted:

"Whereas certain rumors are current that the relatives of the late J. P. Matthews have threatened the peace of society, in order to avenge his death, by killing Democrats and destroying their property: Now, therefore,

"Be it resolved by the people of Copiah County in mass-meeting assembled this day, at the court-house of said county, That if any person shall be injured, or an attempt made to injure him, either in person or in property, in any manner by the said relatives or friends of said J. P. Matthews, that we hereby declare that we will hold his said relatives and friends who participate accountable for the same, and that we will regard them as without the pale and protection of the law and common enemies of society, and that we will visit upon them certain, swift retribution.

"Be it further resolved, That so long as the friends and relatives of the said J. P. Matthews obey the laws and become good citizens, we hereby pledge them the protection of the law,

"Resolved further, That in the opinion of this meeting it is necessary to the safety of society and the welfare of all races and classes in this county that the Matthews family shall keep out of politics in Copiah County.

"Resolved further, That from henceforth no man or set of men shall organize the negro race against the whites in this county, and if it shall be attempted in the future, we hereby give notice that it shall be at the peril of the person or persons attempting so to do.

"Resolved, That we do hereby pledge ourselves, each to the other, our lives and fortunes and our sacred honor, that we will, all and individually, from henceforth, hold ourselves in readiness to enforce the foregoing resolutions, and to meet at any time upon the call of the chairman of this meeting.

"Resolved, That a committee of twenty-four from each supervisor's district be appointed by the chair to present a copy of these resolutions to the brothers and sons of the late J. P. Matthews, and that the same be published in the Copiah Signal and the Crystal Springs Meteor.

"Resolved by the citizens of Copiah County in mass meeting assembled, That the honors heretofore worn, and worthily so, by beat No. 2 be, and the same are hereby, awarded to beat No. 3.

"Be it further resolved, That this resolution is by no means intended to reflect upon the past and present services of beat No. 2, but to show our appreciation of the result of the election of the ticket in beat No. 3.

"It is also resolved, That the clubs continue their organizations, and consider them-

selves not disbanded, subject to the call of the chairman of the Democratic executive committee.

Resolved, That the thanks of this meeting be extended to the Hazelhurst brass band for their services on this occasion.

“J. L. MEADE, *Chairman*.

“JESSE THOMPSON, Jr.

“C. J. ALLEN,

“*Secretaries*.”

And whereas it is alleged that the authorities of the State of Mississippi have utterly failed and neglected to protect and preserve to the citizens of that State the equal enjoyment of civil and political rights, but have in some cases contributed to their overthrow, and have failed to punish or bring to trial persons alleged to be guilty of the conspiracies, violence, and homicides above stated, in disregard of the equal rights of citizenship in the equal protection of the law guaranteed to all the people of that State: Therefore,

Resolved, That the Committee on Privileges and Elections be, and it is hereby, instructed to inquire into all the circumstances of, and connected with, the said alleged events, and into the condition of the constitutional rights and securities before named of the people of Virginia and Mississippi, and that it report, by bill or otherwise, as soon as may be; and that it have the power to send for persons and papers, and to sit during the sittings of the Senate, and that it may employ a stenographer or stenographers—

have discharged that duty, and respectfully report the testimony they have taken and their conclusions thereon.

In the execution of that portion of the resolution relative to occurrences in the State of Virginia, your committee have examined over one hundred and sixty witnesses, mainly residents of the city of Danville, but a few persons from other portions of the State.

It appears from the evidence that during the control of the affairs of the State by the Democratic or Funder party a constitutional amendment had been adopted in 1876 imposing the payment of a capitation tax of one dollar as a prerequisite to the right to vote, and a law had been enacted establishing the whipping-post as a punishment for minor offenses and disfranchising every person subjected by law to that punishment for certain of such offenses.

The constitution, after the ascendancy of the Readjuster party in the State, had been amended, abolishing the capitation tax, and the law establishing the whipping-post had been repealed; and for the first time in the history of the State since the amendment of 1876 was adopted suffrage at the election in November, 1883, was to be free from such restrictions.

THE RACE ISSUE.

Accordingly the Democratic party early in the canvass of last year renewed the efforts, which had before been made to some extent, to intensify and excite the race issue in the contest. This became necessary from the fact that white voters of the State had left their former political associations in such numbers as enabled them, with the aid of the colored voters, to secure a majority in the State and elect the officers of their choice.

Without such division of the white vote success in the State by the Coalitionists would have been impossible, as by the census of 1880 the colored voting population of Virginia was only 128,257, while that of the whites, according to the same census, was 206,048.

While there was no motive, therefore, on the part of the Coalition party to excite the race issue, which would inevitably have the effect to alienate the support of white voters, there was every inducement on the part

of the Democrats to raise and intensify that issue with a view of recovering the votes of those among the white people who had been supporting the Coalition party. In 1881, under date of June 6, the Richmond State, an accredited organ of the Democratic party, printed caricatures like this:

THE LATE CONVENTION OF WHITEWASH.



Just hold still, my man! A few more applications of this lovely whitewash and the last remaining point of difference between us will be entirely removed.—*Whig*.

About the same time a circular was distributed by the Democrats in Carroll County, where the voters are nearly all white, which contained the following:

PAUSE, VIRGINIAN!

READ BEFORE YOU VOTE.

Remember, if you vote the Cameron ticket this day—

1. You vote yourself and your State a repudiator.
2. You vote for mixed schools now and mixed marriages in the future.
3. You take the African side in Cameron's war on your own race.
4. You vote that maimed Confederate soldiers must be kicked out of office to make room for negroes.
5. You vote to perpetuate strife in Virginia.
6. You indorse Mahone's treason to the National Democracy last year, and to Virginia this year.
7. You indorse his destruction of more than six and a third millions of Virginia property.

8. You vote for Conkling and Dawes, who persecute Virginia against Bayard, who loves her, and Hampton, who fought for her.

9. You turn your back on the National Democracy and embrace your enemies.

10. You belie your vote of last November.

11. You indorse the infamous political record of John F. Lewis.

12. You vote against three as gallant Virginians as live.

The Lynchburg News, an extreme bourbon paper, published this :

Negroes to control the schools to which your little children go. That is Mahoneism. Remember it, white people, when you come to vote.—*Lynchburg News*.

The Richmond State published the following :

The editor of the World may have no objection to the negro, and may look upon him as his equal, regardless of color ; and he has a perfect right to do so ; but here in Virginia we have never and never will place the white race on the same level with the negro, save in matters of common humanity. *Socially and politically* we do not admit his equality, but insist upon his inferiority and the superiority of the white race.

As to "hating the negro," or being prejudiced against him in the South, Mr. Pulitzer is altogether mistaken. We do not hate him, nor have we any prejudices against him. We only demand that he shall keep his place and not intrude where he does not belong ; that he remain where nature intended him to remain, and fulfil the purpose of his creation. This is all, and this is the logic of the situation that the North must recognize and govern itself by if it would have peace between the two great sections of our common country.—*Richmond State*.

The Danville Times, a Democratic paper, contained the following :

The Mahoneites band the negroes together to beat us, and we must unite the whites to meet them. Do that, and we can always carry enough of the colored vote to elect our ticket.—*Danville Times*.

Coming down to the canvass of 1883 the following appeared in the Richmond Dispatch :

Before another issue of the Dispatch reaches the public the Lynchburg convention will in all probability have finished its work. * * * The only matter of difference, developed by a canvass of the delegations, is regarding the advisability of drawing the color line. The Richmond delegation remain practically unanimous in the opinion that it should be drawn, and are, it will be seen, sustained by some of the strongest men in the party. * * *—*Richmond Dispatch*, July 25, 1883.

During that canvass the following caricature was published in The Democratic Campaign at Lynchburg, and widely distributed:



The Danville Times of March, 1883, published an article from which we make the following extract:

It will not be long before you will see the Coalitionists advocating the repeal of the law forbidding the intermarriage of the two races.

They will say, Why should not a white man marry an African if he wants to? And they will insist on arguing with you on a question you have instinctive horror of.

If you want to protect your wives and daughters and keep off bloodshed you must stand up like men for your race and your civilization.

Everything will "look like Africa."

A black boy will wait on the ladies at the different post-offices. A black boy will search the records for you in the clerk's office. Your bench of magistrates will be "half and half." Your commonwealth's attorney may be a negro, and a negro will surely visit your houses collecting your taxes.

On the 29th of October, 1883, the executive committee of the Waynesboro' Democratic club, a county where the population is nearly all white, issued the following:

WAYNESBORO' DEMOCRATIC CLUB,
October 29, 1883.

MR. MATHIAS ABLE:

The election which takes place on Tuesday, November 6, 1883, is one of the most important which has occurred in our State since Governor Wells ran in 1869. Then the issue was *white government or negro*. The same issues are involved now. Our brethren in the eastern counties are calling on us to come to their relief. We, your committee, urge upon you to be sure and come on election day, rain or shine, and vote for the white's man party, and bring your friend. Under no circumstance trade your vote off with a Republican, but vote your own ballot.

R. G. WRIGHT,
J. A. PATTERSON, JR.,
J. S. MYERS,
Executive Committee.

In Danville the colored voters outnumbered the whites, and early in the canvass the Democrats sought to raise and intensify the race issue in that locality. With a view to this the Democratic clubs in the second and third wards of that city unanimously passed resolutions as early as September or October, the precise date does not appear, withdrawing all support and patronage in business from the Coalitionists, both white and colored. The mayor of the city in his evidence made the following statement:

Q. Now turn to another subject. Do you know of any resolutions of ostracism passed by the Democratic clubs of Danville; and, if so, what?—A. Young Snead came out of a Democratic club one night, captain of the fire department, he says, "A resolution passed a little while ago that I never thought would tell in any free country." I asked him what it was. He says, "Captain Graves offered a resolution in the third ward"—I don't know as I can give you the words, but I can give you the substance of it—"that they would not patronize, or recognize, any man who would not support the Democratic party." I said to him, "Snead, that can't be possible." He said, "They certainly passed it." Mr. J. E. Schoolfield got up and made a speech in behalf of it. I didn't know what to think of such a thing; it was something unusual. I never heard of such a thing in Virginia before.

These resolutions were carried into execution, and the patronage was accordingly, to a great extent, so withdrawn.

About the same time another proposition was made by which the Democrats, who were the principal real-estate owners, should refuse to rent their premises to colored people or Coalitionists, and a subscription paper was put in circulation with a view to raise a fund to reimburse them for any losses they might sustain by reason of such refusal. The evidence shows that this latter proposition was not consummated or carried into effect.

About the same time the Third Ward Democratic Club instructed Mr.

W. N. Ruffin, one of its members, to prepare for circulation in South-western Virginia what is known in the evidence as the "Danville Circular," which is as follows:

COALITION RULE IN DANVILLE.

To the citizens of the southwest and Valley of Virginia:

We, the undersigned, of the merchants and manufacturers and mechanics of the town of Danville, Va., earnestly request that you will permit us to lay before you a few facts from which you can form some idea of the injustice and humiliation to which our white people have been subjected and are daily undergoing by the domination and misrule of the Radical or negro party, now in absolute power in our town, and under the leadership of William Mahone, seeking to extend and perpetuate its power all over the Commonwealth.

By the census of 1880 Danville contained 7,526 persons, of whom 4,397 were colored and 3,129 were white. The population of the town has increased greatly since that time, and the proportion between the numbers of whites and blacks has also increased, there being a much larger proportion of blacks now than in the year 1860.

The taxes actually paid by the inhabitants of the town for the year 1882 upon property, exclusive of license taxes for its corporate uses, exclusive of taxes paid to the State, amounted to over \$40,000 in round numbers, of which only \$1,206.63 were paid by the blacks, making \$38,894 more of money paid for the support of the town by the white people than was paid by the negroes. Out of the total sum derived from taxation upon property, \$2,000 was appropriated to the education of the negro children of the town—a sum, it will be seen, \$794 more than the entire amount of tax paid by the whole negro population. So it appears that the negroes of the town do not contribute one single dollar to the use of the town, towards paying the interest upon its corporate debt, the improvements of its streets, the maintenance of its public work, the pay of its officers, and its incidental expenses of government. But, on the contrary, every dollar, and much more besides, paid by the members of that race in the nature of taxes, is returned to them and applied to the education of their children.

Up to the session of the last legislature the town was not divided into wards, but voted as a single precinct; and in that way the council was generally kept in the hands of the white people. But the negro party, desiring to get complete possession of the town government, that they might share in the offices as well as levy upon the treasury of the whites whatever they thought proper, applied to the legislature and obtained an amendment to the town charter requiring that the town should be divided into three wards, and that four councilmen and one justice of the peace should be elected from each ward. From the localities in which the negroes had herded themselves, it was totally impracticable to so run the ward lines without creating two wards in which the negroes had a large majority, and this they and their white leaders knew. The result was that they elected seven out of twelve of their candidates for the council and their candidates for justice of the peace from each ward.

Then began the deeds which have so humiliated us in our own estimation, and made our town, once so noted for wealth and enterprise, a by-word for shame and reproach from one end of this land to the other. Wherever it was possible for anything to be done by the council or its magistrates that would irritate and wound the pride of the whites it was executed with the keenest relish. Out of nine policemen four negroes were chosen—something before that time unknown to the history of the town—two of them acting not only as policemen, but one as a health officer, and the other as weighmaster at the public scales and clerk of the market. Out of the 24 stalls and stands at the market place, 20 are rented out by the council to the negroes. The scenes about this important and attractive institution (attractive in all cities) will give any person visiting the town a fair idea of the general state of the government under the negro rule. The market, once occupied in all its stalls by polite white gentlemen, with their clean white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves. The white men have been driven out and forced to take up private places for vending their meats and vegetables, and the public market, erected by the money of the white people and intended to be occupied by men at least courteous and cleanly, has been converted to the use of squalid negro hucksters, and presents a spectacle of loathsomeness positively repulsive to any person who has the least idea of how a market should be kept.

The whites of the town are powerless to prevent this outrage upon their rights. In fact, it is believed that their well-known objection to such an indignity is the principal cause of its infliction. The council, which has the power of regulating the conduct of the market, is presided over by a carpet-bagger—J. B. Rualston—Mahone's

collector of internal revenue for the Danville district, and the patronage of his Federal office enables him to control the council with the same undisputed power that the general does his party. Raulston is exceedingly offensive to the white people, and it is well known he takes no pains to carry out any of their wishes. Two of the negro members of the council hold positions under him at the custom-house, and they are as obedient to his will in the council as they are in the revenue office.

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government, not one of whom has a dollar's worth of visible property within its limits, and this too by the most shameless usurpation; for the constitution and law of the State and the Presidential order by which the Norfolk postmaster was removed, all declare that such officials shall hold no office under the government of this Commonwealth. The Federal Government, through its internal-revenue collector and the negro councilmen hired by him to scrub the floor of the custom-house and make incendiary speeches against the white people of the town, make our town laws, levy and collect our taxes, distribute our money, and elect *negro policemen* to watch our town while its inhabitants are asleep. This revenue collector declared, when he was elected president of the town council, that it was his intention to use the patronage of the council to build up the Radical negro party.

The police court of the town is another scene of perpetual mockery and disgrace. There the most active justice is a young negro named Jones, who first became famous by seducing a girl under promise of marriage, and was only saved from conviction upon indictment by the evidence of his partner in a junk-shop, who swore that he had had criminal intercourse with her before Jones. This court which, before the negro régime came into power, was only open a few hours every morning, is now practically open from morning till night, and nothing but actual observation can convey the least idea of the travesty of its transactions. Malice and partiality, whenever there is a motive, and ignorance, in its absence, are the rules of decision. The officials of the court, justices, and policemen co-operate in the work to make fees, and every act, or word, or deed of the citizen, whether atrocious in its character or too frivolous for the law to take notice of, is brought before a justice, and the party, if not fined, is required to pay the costs; and if there is more than one party the cost is doubled, and both parties made to pay costs. White men are arrested for the most frivolous acts by negro policemen and borne along to the mayor's office followed by swarms of jeering and hooting and mocking negroes, and tried, fined, and lectured and imprisoned by a *negro* justice, and then followed to the jail by the same insulting rabble.

At the October court of this year two of the party magistrates were removed from office by the judge of the hustings court, one for embezzling the money of the Commonwealth, the other for "causes sufficient to the court," and one of them has fled the town to avoid indictment.

The notoriety which this state of things in our town has produced has attracted to the town large numbers of idle and filthy negroes from the border counties of North Carolina, and from Halifax, Mecklenburg, and Charlotte, Va. Although there is a law against vagrants, they are never disturbed. They infest the streets and sidewalks in squads, hover about public houses, and sleep on the doorsteps of storehouses and the benches of the market place. They impede the travel of ladies and gentlemen, very frequently forcing them from the sidewalk into the street. *Negro women* have been known to *force ladies* from the pavement, and remind them that they will "*learn to step aside the next time.*" In several instances white children have been struck by grown negroes. We know of several cases where the *lie* has been given to a white lady to her face by a negro. It is a very common practice for the negroes who are employed about our houses to allude to white ladies and gentlemen as *men* and *women* and to negroes as *ladies* and *gentlemen*. This is a practice almost without exception with the negro women. They do it to irritate and throw contempt upon the white race. A short time since, when the town was in great excitement over the murder of a respectable gentleman and farmer of Pittsylvania County, in his wagon, while on his way home from Danville, by *three negro highwaymen*, a negro man in the town stood in the center of a crowd of his friends, with a pistol exhibited on his person, and with threatening gestures and loud oaths declared that he wanted to "start a row with some d—d son of a b—h of a white man that he might kill him."

A few nights ago the negroes were very indignant because they heard of the earnest work that was going on by the whites, to register all of their voting strength, and called a meeting, which was addressed by an incendiary negro, named Pleasants, a postal agent, and one of the town councilmen, hired at the custom-house, and they passed a resolution requesting the governor to have Federal troops sent to our town on election day, to intimidate the white people at the polls.

They have also a scheme to amend the town charter if they elect the legislature this fall, and take into the town a large negro settlement, outside of the town limits, called *Jacksonville*, by which they will get several hundred more black voters, and

then it will be impossible for any white man to hold office in the town. We know this is their plan.

It is well known that hundreds of the North Carolina tobacco raisers who live within a few miles of Danville, and used to sell their tobacco in our market, now go five times as far to a market in their own State, *on account of the negro rule in our town.* At the negro meeting, referred to above, one of their speakers said they did not want the people of North Carolina to come here any way.

Now, fellow-citizens of the Valley and southwest, we cry out to you in our affliction to deliver us from this awful state of *humiliation and wretchedness.* We know that, as a rule, the cries of the wretched make but little interruption of the general progress of things. The sun rises and sets all the same, and the work of the Government, and the work of the feast and the torture goes on with exactness and tranquillity. But we appeal to you by that sympathy which constitutes the bond of union between honorable men struggling in the cause of freedom, to help us throttle this viper of *negroism* that is stinging us to madness and to death, *by voting against the Coalition-Radical candidates who are yelling and screaming with delight at the prospect of fastening its fangs into us forever.*

We appeal to you to say, do you think it is just that we should contribute *every cent* to the maintenance of our town, pay our town *debt*, and *appropriate not only all the negro pays in the way of tax, but much more besides*, of our own money, to the *education of his children whom he raises upon our money to be our bitterest enemies*, and then let him have possession of our town government, too? Is it right that the negro should have all this given him, and then be allowed to control our offices and plunder our treasury besides?

It is an injustice at which we know your humanity will revolt.

It is the injustice of the frozen serpent, which after being warmed into life by its benefactor, stings him to death.

Help us, fellow-citizens, by voting for the Conservative-Democratic candidates for the legislature, for *unless they are elected we are doomed.*

W. T. CLARK, Merchant.
JAMES W. BRUCE, Merchant.
C. M. HENDRICK, Builder.
J. G. COVINGTON, Tobacconist.
REDD & JORDAN, Warehousemen.
DANIEL COLEMAN.
J. E. SCHOOLFIELD, Merchant.
A. G. FULLER, Tobacconist.
HAMLIN & HINTON, Merchants.
C. H. NORTON, Contractor.
GEO. A. LEE, Tobacconist.
GRAVELY & BURTON, Grocers.
J. B. WESTBROOKS, Foundryman.
THOS. L. POINDEXTER & SON, Warehousemen.
RUFFIN, WOOLFOLK & BLAIR, Real Estate and Insurance Agents.

JOHN W. HOLLAND, Tobacconist.
W. P. GRAVES, Warehouseman.
J. M. COVINGTON, Tobacconist.
R. B. GRAHAM & BRO., Builders.
S. H. HOLLAND.
E. L. & A. GERST, Tanners.
MOROTOCK MANUFACTURING CO.
BOOTH, WOODING & BOOTH, Merchants.
ESTES & WOODING, Merchants.
W. N. SHELTON, Tobacconist.
LEA & JORDAN, Warehousemen.
HARRY WALKER.
ED. S. RAGLAND, Foundryman.

Mr. Ruffin states in his testimony that a resolution was passed by the club that "we should prepare a paper of this sort, setting forth our grievances under Coalition rule, and circulate it among the white people of the State, that they might see what a fix we were in there"; that in pursuance of such resolution he made a draft of the circular. On this point he stated: "I drafted the original of this circular myself. I was on the committee of our club appointed for that purpose, and I drafted the original of this thing. It was afterward very much altered and amended by Judge Aiken—hardly a skeleton left of what I had written." The evidence is entirely satisfactory that, with the exception of the statistics given in the opening paragraph of the circular, it is a false presentation of the state of things at Danville, and most of its statements wholly without any substantial foundation in fact. Yet so vital was it deemed to the interests of the Democratic party that Mr. Ruffin states in his testimony, after its correctness had been challenged by the Coalitionists, he prepared what is known in the evidence as the "Ruffin Circular," which were the affidavits of the subscribers of the Danville circular verifying the truth of the statements contained in it; and although, as he states, he did not sign the original, he did sign

the affidavit of verification, and, while he did not fully agree with the accuracy of the circular as altered by Judge Aiken and signed by his partner, yet he joined in the verification as to the truth of the same without any exception. His partner, Mr. Blair, testified that the original was signed by Mr. Ruffin himself.

In giving the reasons for this verification the witness testified as follows:

By Mr. VANCE:

Q. When you were asked if you had not prepared the statement corroborating this Danville circular, you said yes, and you desired to modify it, and were not permitted to do so. Now make what modification you wish to make.—A. I just wanted to explain how it was that we came to take affidavits that this circular was true. I wanted to state why it became necessary for us to get up those affidavits.

Q. Why was it necessary?—A. Because we were informed—Mr. Seldon, of Harrisonburg, in Rockingham County, informed me that if we could authenticate that circular it would *carry Rockingham County and save all the other counties in the valley.*

Q. You were informed that its authenticity was disbelieved?

Mr. LAPHAM. I am very much obliged to you for that.

The witness stated that the affidavits containing the confirmation of the truth of the Danville circular was not intended to be published in Danville, but was sent to Harrisonburg, 200 miles from Danville, for publication. He also stated that on Wednesday prior to the riot he went to Harrisonburg, taking with him 2,000 copies of the Danville circular, and sent them all over the county. The evidence conclusively shows that the Danville circular, though printed in Danville in large numbers and widely circulated in other portions of the State, was not designed for circulation in Danville, yet its existence there became known soon after its publication. The evidence also shows that the affidavit of verification, together with letters from the witness Ruffin and Dr. Harvie, were published in Waynesboro', and circulated in large numbers prior to the election in that portion of the State. The following are copies:

READ THE PROOF.

The Danville circular as true as gospel. The sworn evidence of all its signers, and letters from two prominent citizens of that city confirming the whole matter.

These two letters were received by a gentleman in Harrisonburg, and along with them the affidavit given below, and if any one doubts their genuineness, the originals can be seen at the office of the Rockingham Register, in Harrisonburg, by all who may apply for them.

DANVILLE, VA., October 30, 1883.

MY DEAR ———: These facts set forth in the circular sent out by Messrs. Holland, Ruffin, Woolfolk, and Blair, and others is true in every particular, and recites only a few of the indignities to which the white people of Danville have been subjected. We appeal to our white brethren of the valley and southwest to come to our aid, because they only can help us, having an overwhelming white majority. We appeal to them because there are 300 old Confederate soldiers with their families here—men from every portion of Virginia and North Carolina—who stood by them when they carried their lives in their hands, and we beg them now to stand by us with their ballots, and save us from the black wave of ignorance and vice which threatens to overwhelm us. I know the white men of the valley, both Republicans and Readjusters, would not consent to vote for General Mahone's candidate if they knew to what extremity the success and excesses of that party would reduce us, the white race in Southside, Virginia. You can show this to whom you choose, and while you know me and that what I write is true, there may be others who may be unwilling to believe one of whom they know nothing. To them I refer as to my character to Senator Lewis, and to my friend Mr. D. S. Lewis, who, I believe, resides in your town. Give my kindest regards to your family.

Your friend, truly,

LEWIS E. HARVIE, M. D.

DANVILLE, VA., October 30, 1883.

MY DEAR ———: I received your letter of yesterday this morning, and was glad to hear from you again. The circular letter, "Coalition rule in Danville," is genuine and authentic, and all the facts stated therein are true, and can be substantiated (if doubted) by our best citizens. Our condition here under negro rule is horrible, and far, very far, beyond the conception of the white men in those counties which have white majorities. I know that if your people could only appreciate our condition and realize the enormity of the indignities that are being constantly put upon us, they would all come to our rescue and put white men in office. Here, where we suffer so, and where we all know by experience what negro domination is, you rarely find a white Readjuster. Two years ago you could count them by the score; now there are only sixteen in our town, so far as I can find out, and all but four of these hold office. Negroes here speak openly and boldly of social equality, and discuss it in all its various forms, and a negro Readjuster announced from the stump recently that he would live to see the day when he would sleep with a white wife. I could weary and sicken you with detailed accounts of the various outrages here, which will only be increased until we are driven to desperation, if Mahone carries the State this fall, and you know, and I know, that the natural feelings of one white man for another would cause your people to vote to free us from this thralldom if they were familiar with the facts here. We hear that the Mahone leaders denounce our circular as being the work of a hireling committee. When I tell you that I was one of the originators of that paper, you will know this is false. Our pitiable condition forced us to make this appeal to our Anglo-Saxon brothers in that portion of the State where they are in the majority, and, consequently, in a position to help us. I beg that you will do what you can for us, and get us as many votes as you can. *You may say to your people that with us the debt is regarded as settled forever, and we have no wish and no disposition ever to renew it again. We would as soon think of agitating secession again.* Help us, and get your friends to help us, and you and they will receive the gratitude of an oppressed people.

Our condition is no worse than in other portions of the "Black Belt."

With kind regards, and a desire to see you at my house,

I am your friend,

W. N. RUFFIN.

DANVILLE, VA., October 30, 1883.

We, the undersigned, certify that the circular paper entitled "Coalition rule in Danville," addressed to the citizens of the Southwest and Valley of Virginia, is a genuine paper, and was signed by us with a full knowledge of its contents, and that every fact stated therein is true to the best of our knowledge and belief, and can be substantiated by the oath of responsible and respectable persons.

(Signed by :) W. T. Clark, merchant; James W. Bruce, merchant; C. M. Hendrick, builder; J. G. Covington, tobaccoist; Redd & Jordan, warehousemen; Daniel Coleman; J. E. Schoolfield, merchant; A. G. Fuller, tobaccoist; Hamlin & Hinton, merchants; C. H. Norton, contractor; Geo. A. Lee, tobaccoist; Gravely & Burton, grocers; J. B. Westbrooks, foundryman; Thos. L. Poindexter & Son, warehousemen; Ruffin, Woolfolk & Blair, real estate and insurance agents; John W. Holland, tobaccoist; W. P. Graves, warehouseman; J. M. Covington, tobaccoist; R. B. Graham & Bro., builders; S. H. Holland; E. L. & A. Gerst, tanners; Morotock Manufacturing Company; Booth, Wooding & Booth, merchants; Estes & Wofing, merchants; W. N. Shelton, tobaccoist; Lea & Jordan, warehousemen; Harry Walker; Ed. S. Ragland, foundryman.

STATE OF VIRGINIA,

Town of Danville, Virginia:

I, R. R. Miller, a notary public for corporation aforesaid, do certify that the gentlemen whose names are signed to foregoing writing, bearing date 30th October, 1883, personally appeared before me, in my corporation aforesaid, and made oath to the correctness of the same, to the best of their knowledge and belief. Given under my hand this, the 30th day of October, 1883.

R. R. MILLER, *Notary Public.*

This circular added much to the excitement in and about Danville. On the evening of the 2d of November, Col. W. E. Sims, who was a candidate for the State senate, addressed a meeting in Danville and severely criticised said circular and those whose names appeared as the signers, characterizing most of its statements as falsehoods, and stating that the signers must have known they were false when they signed it.

The evidence shows that the meeting was called because the people inviting him had just heard of the circular. The following notice of the intended meeting was published :

Col. W. E. Sims will speak to-night at 8 o'clock in front of the old post-office building to answer the circular entitled, "Coalition rule in Danville," sent to the Southwest, and the Valley, by the Democratic State committee. This circular contains injurious allegations against the town of Danville, but has been concealed from the people of Danville. They ought therefore to attend the speaking and learn what is said against them for political effect by their pretended political friends. Come one! come all!! (Dated Friday, November 2, 1883.)

When the meeting was about to assemble at the place named, the Democrats stated it was the night for their meeting to practice at the place named, and requested that the meeting be held at the court-house instead. This was assented to. It is proved and not contradicted that Col. W. P. Graves, who, it was shown, was chairman of the advisory committee of the Democratic party, and of whom we shall speak hereafter, said :

Says he, "When Sims first said that he was going to speak there he notified the town, and I was up at my house," says Mr. Graves, "and I heard the message that he was going to speak there in front of the Arlington House on the old post-office steps. No sooner had I heard that message than I mounted my horse, went right straight down there and saw some of Sims's friends, and told them to ask Sims to please not to speak there, but over in front of the court-house; and he says that's the reason why he didn't. Of course, he spoke over there." He says, "But the reason why I requested him so particularly to move over in front of the court-house instead of there was that my men had been practicing there for one or two weeks and that was one of the nights for practicing."

Later on we shall see what "practicing" meant. He also said at one time during the speech of Sims, "that his men were formed in line from the old brick building on the corner clean up to near the hall." The evidence shows that more or less of them were armed, and that some drew their pistols during the speech. Threats were made that night and the next morning that Sims would be lynched before he left town, but he went away about noon on Saturday, and it was then supposed the excitement would subside.

THE DANVILLE MASSACRE.

Not long after this, however, a white Democrat by the name of Noel was rapidly passing down Main street and met two colored men, Lawson and Lewellyn, going up said street. Lawson stepped one side to get out of the way of some ladies and hit Noel's foot. Noel said, "What in hell do you mean?" to which Lawson replied, "I was getting out of the way of that lady; excuse me." Thereupon Lewellyn said, "Go ahead, Lawson, don't ask any pardon." Noel struck Lewellyn and the latter knocked Noel into the gutter twice. Noel then passed on, went and got his pistol, and was seen by these colored men passing down towards the opera house, on Main street, in a buggy wagon, looking back at them as he rode down. There was a Democratic meeting at the opera house that afternoon to indorse the Danville circular and to denounce Sims for his speech the evening before. At this meeting five hundred or more had assembled. Two young men, Lea and Taylor, armed with revolvers, were stationed in the gallery to keep out all but Democrats. No Coalitionist or colored man was allowed to attend. Noel went to them as his friends. They badgered him about his scuffle in the street, and Lea gives his reply as follows :

"Well, I have concluded to postpone it, as the very heated excitement in town," he says, and "if we were to resent that injury, I am fearful it will bring on a riot, and I will wait until after the election to resent the injury." I says, "It is very hard to take such an insult"; whereupon he left me.

In a few moments he returned and said to Lea and Taylor, "This nigger has insulted me again; I want you to come and see fair play." Noel, Lea, and Taylor left the opera house and went up street where Lawson was. It appears from the evidence that they were all three armed with Smith & Wesson's revolvers.

Taylor swears that Lawson had insulted him a short time before. Noel then asked Lawson what he meant by speaking to him as he did—insulting him. Lawson denied having done so. Thereupon Noel struck Lawson and seized him by the collar. All admit that Noel, being taller and having longer arms, held Lawson so he could not reach Noel. How many times he struck Lawson Noel is unable to tell. He was beaten so that after they were separated he was picked up on the street. A witness states, "He looked like he was nearly dead; his face all bruised; he couldn't see." Lea admits he was afraid Noel would kill Lawson. While Noel was thus beating Lawson Lea stood one side and Taylor on the other with their revolvers drawn, warning the colored men to stand back or they would kill every one of them. At the same time a white Democrat was standing near, in the office door, with a double-barreled shot-gun. A colored policeman by the name of Adams made his way up to where this was going on and said, "Peace here, gentlemen; this won't do; this won't do." One of the white men replied, "Go away; you ain't going to rule this town; you niggers can't rule this town." The policeman replied, "Well, I can't help it; you must stop it"; and he seized the men and tried to pull them apart.

While he was doing this a colored man by the name of George Adams came up and said, "Are you all going to stand and let that man kill that man?" Just at that time another policeman, by the name of Freeman, a white man and a Democrat, came up and said, "Come up, men, and let us part these men." Adams started up and seized Lea's arm and tried to wrest his revolver from him. In the struggle they fell, and Taylor struck Adams over the head with his cane. Thereupon Adams sprang to his feet and ran. When about 30 feet off, Lea took deliberate aim and fired. He did not hit Adams, but Jerry Smith fell at his side. He was the first man killed, and was probably shot by Lea. Lea, when asked if he fired refused to answer, as did most of the white men who were armed, acting as they stated, under the advice of Senator Vance. Indeed, the Senator openly said in committee that the witnesses ought not to be interrogated on that subject, as they were privileged from answering. The evidence that Lea fired and took aim at Adams as he fired is conclusive. The colored men demanded to know who the man was who fired that pistol. Some one said it was Lea. Another pointed out Taylor and said he was the man. The colored policemen about this time left the crowd from fear of their safety. The colored men continued the demand to know who it was that fired, and one again pointed out Taylor as the man. Taylor thereupon stepped out and said, "I have not fired my pistol; I have mine here, and if you want the contents you can have it." About that time the negroes demanded the arrest of the person who fired the pistol, and during the colloquy the order to fire was given. That order was given by Lea up in front of Woolfolk and Blair's office, and farther down Main street by one Hatcher, and there was a simultaneous firing from the whites all along the line from said office down towards Market street. The number of shots is variously estimated at from seventy-five to two hundred and fifty. It is described as sounding like the firing of fire-crack-

ers thrown in a barrel. Judge Blackwell, who was looking on the scene, testified—

The discharge was a volley that was delivered as if it had been by disciplined soldiers. I never on a battle-field heard a volley delivered as well together as that was. After that it was continuous firing, as if soldiers were firing at will.

When Lea fired his pistol the colored people began to flee. Others, hearing the noise and the policeman's whistle, continued to gather from all directions—men, women, and children—and the whites came from the opera house and court-house. There were no white women on the street that day. The moment the general firing began the colored men, in the language of one of the witnesses, "ran like rabbits." They ran up and down Main street and into Union and Market streets, and through the stores and offices to make their escape. They were pursued by the whites, firing at them as they ran. Two colored men were shot dead as they were entering Union street.

Captain Graves, as the negroes fled, ran down to the corner of Market and Main street, and there shot an unoffending colored man in the arm. He was a teamster who came out of Nicholas and Hessberg's door on Market street to look for his team. When he was ordered to leave by Captain Graves he threw up his hands and said, "My God, captain, don't shoot me; I just ran out to catch my horses." The captain fired at him as he was backing into the door with his hands upraised, and hit him in the arm above the wrist, breaking the smaller bone. Captain Graves also ordered Adams's brother, the policeman, to leave, and shot at him as he was running. The evidence is entirely conclusive on this point, although Captain Graves denies it. He does not, however, deny firing, but admitted he shot four times.

Robert I. Adams, one of the policemen, who had left from fear after Lea fired at George Adams, was at the time in Market street.

Captain Oliver, of the Union Grays, a white military company, was on trial at the court-house for having concealed weapons the night before, when Sims was speaking. As he came up to this policeman he said to him, "Damn it, get off the street." The policeman said, "I am trying to keep the peace the best I can." Captain Oliver replied, "We don't want none of your damned peace; get out of the way." Hatcher, another white man, came up, and said "Damn it, make these niggers get off the street." Freeman, a white policeman and a Democrat, said, "The colored people ain't doing anything; if you all don't bother them they won't bother you." To this the Democrat replied, "Damn it, we are going to kill them and all their backers." George Adams, at whom Lea shot, came to this policeman and demanded to know who the man was that shot at him. Lea stepped out and said, "Yes, damn you, I'm the man," and the firing commenced.

The evidence shows that one of the whites, who appeared to be in the office of Woolfolk and Blair, said, "Go ahead when you get ready." It also shows that Mr. Freeman told one Hatcher, a white leader, not to have any fuss. Hatcher replied, "Don't come after us now; make them damned niggers leave." Freeman said, "They ain't doing anything now; you must all get off the street." Hatcher started out and told the men "to stand with him and we will kill the last one of them." Hatcher admits he was one of those who gave the order to fire, and it is abundantly proved by others. One witness states Hatcher raised his pistol and fired, and said, "Boys, now is the time." They all fired, and it looked like it was hail falling up against the bricks."

When Lea fired at Adams, another witness testified he heard Hatcher

say, "We'll give them hell to-day." Although Hatcher denies that he had a pistol, he was not called to deny he made these declarations. The witness, Captain Graves, was examined at some length, and a portion of his direct examination is here given as illustrative of the animus of the white Democrats. He was chairman of the advisory committee of the party.

WILLIAM P. GRAVES sworn and examined.

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. I moved there in 1852.

Q. What is your age?—A. I was sixty-three last fall.

Q. What is your occupation?—A. I am a commission merchant.

Q. How long have you been in that business?—A. I have been in that business there since 1857, I think.

Q. What part, if any, do you take in politics?—A. I have taken no interest in politics, except to vote, until the last election, when I took some little interest. I have not attended a political meeting for some time until the last election.

Q. Did you belong to any political organization prior to the last election?—A. I belonged to the Third ward, in which I lived.

Q. To what?—A. To the Third Ward Club.

Q. Democratic club?—A. Yes, sir.

Q. Were you one of the signers of the circular?—A. I was.

Q. Were you at the meeting at the opera house?—A. I was.

Q. Did you sign the resolutions indorsing that circular?—A. I had signed them previous to that time. I was one of the original signers. I did not sign it upon that occasion.

Q. So that you both signed the circular and approved the resolutions indorsing them?—A. I do, emphatically.

Q. Where were you on the 3d of November?—A. I was in the meeting.

Q. What time did you leave the meeting?—A. I left the meeting soon after they commenced signing the resolutions.

Q. Had there been any firing in the street before you left?—A. I had heard none. There was some excitement during the meeting—

Q. Never mind, now; just answer my question, please. Where were you when you first heard any firing?—A. I was on the street near Nicholas & Hessberg's.

Q. In the line that had been formed there?—A. No, sir.

Q. Which way from it?—A. I had started out of the opera house—

Q. Come right to my point, please; answer my questions.—A. I want to do that.

Q. Where were you at the time you first heard the firing?—A. I answer that question by this, that I was near Nicholas & Hessberg's store.

Q. How far from the white men who were formed upon the street?—A. I didn't see the white men, but from what I can understand it was some three or four buildings below.

Q. Were you below the crowd of colored people, too, or above them?—A. I was—well, somewhat in the edge of the crowd.

Q. Of the colored people?—A. Yes, sir.

Q. What class of colored people did you see there?—A. Well, I can't answer that question exactly.

Q. Only whether they were different ages and sexes.—A. I saw only one sex; I remember seeing only one sex.

Q. You do not remember seeing any women?—A. No, sir.

Q. Well, you saw children?—A. I can't say I did; I think not.

Q. No boys?—A. I don't remember any; there might have been some boys.

Q. Were you armed?—A. I was.

Q. What did you have?—A. I had a *Smith & Wesson 44-caliber pistol*.

Q. A five or six shooter?—A. *A six-shooter*.

Q. Was it loaded?—A. It was.

Q. Did you discharge it?—A. I did.

Q. How many times?—A. Four times. I would like to make a little explanation there, sir—

Q. Oh, I will give you an opportunity. Do you know Charles Adams?—A. I do.

Q. Did you see him?—A. I did.

Q. Did you fire at him?—A. I did not.

Q. Didn't he raise his hands and say, "My God, I ain't doing anything; don't shoot me"?—A. He did.

Q. Well, didn't you fire?—A. I did not.

Q. You deny that, do you?—A. I deny it most positively, sir.

Q. Where did you fire your four shots?—A. As I come out of the opera house, com-

ing up Main street towards my place of business, just as I got at the corner of Nicholas and Hessberg's the firing commenced; just above it, and I must say for a few seconds, it was about as hot a fire as I have ever been in.

Q. Yes, I should judge so.—A. For about a few seconds, and then it was I fired, from the fact that I have never yet been able to stand and let a man shoot at me or strike me without returning it.

Q. Where did you fire?—A. I fired in the crowd in front.

Q. In the colored crowd?—A. In front.

Q. Among the colored people?—A. Amongst the colored people.

Q. Four shots?—A. I fired one shot there. I fired one shot, perhaps two shots, there in that direction. I fired another shot in another direction, rather across the street, perhaps; I don't remember exactly.

Q. Was that after the colored people began to flee?—A. Some of them were running at the time.

Q. You fired in the direction they were running, did you not?—A. Yes, sir, I fired; some of them were running.

Q. Where did you fire the other two shots?—A. I fired one shot across the street.

Q. What did you fire across the street at?—A. Well, I fired there in the direction they fired; the bullets were coming towards me.

Q. You fired toward the colored people?—A. I fired toward the colored people.

Q. Where did you fire the other shot?—A. I fired one shot down off Main street.

Q. What was that at?—A. Well, there was a colored man had been firing, or rather attempting to fire, up that street, and I fired in that direction.

Q. At him?—A. No, sir; I did not fire at him. I didn't fire at any one in particular on that occasion.

Q. Well, you fired into the crowd.—A. No, sir; I can't say that I fired into the crowd then.

Q. What did you fire at?—A. I fired more in the air than in any other direction.

Q. Do you mean to have us understand now that you fired in the air?—A. I didn't fire there with the purpose or expectation of hitting any one.

Q. How long was that after the first firing?—A. It was a very few seconds after.

Q. After the crowd were fleeing, wasn't it?—A. After they had commenced fleeing.

Q. Have you ever been in the military service?—A. I have.

Q. Where?—A. I was in the Mexican war.

Q. In what capacity?—A. I was a volunteer; an orderly sergeant for eight months, and for eleven or twelve months I was an assistant commissary and quartermaster.

Q. So that you had some military experience?—A. Yes, sir.

Q. When did you get the revolver you had?—A. About, I think, as near as I can remember, about a month previous to that time.

Q. Where did you get it?—A. I bought it of Mr. Schoolfield, a hardware merchant in Danville.

Q. Can you say what supply of them he had at that time?—A. I think I got the only one of that kind he had at that time.

Q. Hadn't he other kinds?—A. Yes, sir; he had a good many of them.

Q. A good many others?—A. A good many others.

Q. What were they?—A. I think he had some .38-caliber pistols, and he had other pistols; I don't remember, I didn't notice particularly.

Q. Well, you took the most effective arm he had?—A. The one I thought the most effective.

Q. And you are a judge of the effect?—A. I think I am a pretty fair judge.

Q. When did you load that revolver?—A. It was sent to my office loaded.

Q. You directed it to be so done?—A. Yes, sir.

Q. When did you receive it at your office?—A. A few hours after I purchased it.

Q. And that was about a month before the affair?—A. I think it was about a month; I don't remember the exact time; I think it was about a month.

Q. Didn't you belong to a secret political organization?—A. I belonged to the ward club.

Q. Didn't you belong to a secret political organization?—A. I don't know anything about your secret political organization.

Q. Didn't you know of any such organization at Danville?—A. I do not.

Q. You don't know of any existing prior to the election?—A. I do not; with the exception that our club meetings were held in private. There was nothing particularly secret about them, but that there was none except the members of our party expected to attend those meetings.

Q. You held them in secret?—A. I don't understand the question.

Q. You held the meetings in secret?—A. Yes, sir; they were private.

Q. Wasn't there an executive committee of that club?—A. I think there was.

Q. Were you a member of that?—A. I was not.

Q. Do you know who constituted that executive committee?—A. I do not; I don't remember.

Q. About when was it organized?—A. It was organized probably early in the campaign; I don't remember.

Q. About how long before the election?—A. Four or six weeks before the election, or two months; I don't remember exactly.

Q. Was it before the month of August?—A. I think not; I don't remember the exact date of it.

Q. You didn't see the line of white men on the street at all, I understand you?—A. I did not.

Q. You didn't fire then by reason of any animus, you say, against them?—A. No, sir; I was firing only in self-defense.

Q. Why did you go there? For the purpose of self-defense?—A. I was passing from the opera house in the direction of my place of business.

Q. Did you not know before you left the opera house there was a disturbance there?—A. I did not.

Q. I thought you said there was something said in the opera house?—A. There was something said in the opera house; there was some little said in the meeting, and there were a number of persons who got up and went to the front windows, where they could see in the front street.

Q. You say you left the opera house?—A. And Colonel Cabell remarked—

Q. I didn't ask that.

Mr. VANCE. I think he is entitled to give that explanation now, you stopped him before.

Mr. LAPHAM. No; I hardly think it is called for. I am only addressing myself to questions personal to himself. I don't ask what Colonel Cabell said, or any other person.

Mr. VANCE. Well, I don't think you ought to ask him and not give him a chance to explain.

Mr. LAPHAM. The difficulty is he is not answering the questions I ask.

The WITNESS. I didn't know what the disturbance was. I didn't know that there was any firing. I heard no firing and I didn't know what it was. There was some little excitement.

By Mr. LAPHAM:

Q. Where did you first draw your pistol?—A. It was very near Nicholas & Hessberg's door.

Q. Had any one assaulted you?—A. They were firing right in—

Q. Had any one assaulted you?—A. Well, my dear sir, I thought so; they were firing right in my direction.

Q. Who was the person who assaulted you?—A. I can't say; I can't say who it was that assaulted me. They were firing right in my direction, as the bullets in the side of the house will show, coming from the street.

Q. You know where it is said the line of white people stood, don't you?—A. Yes, sir.

Q. Which direction were you from them?—A. I was on the sidewalk very near—

Q. Well, they were on the sidewalk, too?—A. They were on the sidewalk; I could not see them.

Q. Where were you with reference to them?—A. I was right at the corner of Nicholas & Hessberg's store, the lower corner, between the lower corner and his front door; very near Nicholas & Hessberg's front door.

Q. How far from the point where the line of white people stood?—A. I forget exactly, but there were three or four buildings between.

Q. Was it up or down Main street, where you were?—A. It was down.

Q. You were below them on Main street?—A. I was below them on Main street; yes, sir; between the opera house and them.

Q. Between the opera house and the line of white people?—A. Yes, sir.

Q. Of what building do you speak which will show the marks of the bullets?—A. All of those buildings.

Q. Well, you didn't shoot in front of all of them?—A. No, sir.

Q. I want the one you refer to.—A. I think there may be some bullets along about Hessberg's and the adjoining building: there are some bullet marks also below in the building that was occupied by Averett & White at that time.

Q. How many composed the executive committee of your club?—A. I don't remember.

Q. Did they make any reports to the club or were their operations secret?—A. No, sir; their operations were not secret.

Q. Did they make any reports to the club?—A. I could not say.

Q. That you remember now?—A. I don't remember the reports particularly.

Q. You don't remember any reports made by them?—A. No, sir; I do not.

Q. Nor you can't give the name of any member of the executive committee?—A. No; I cannot give the name of a member of the executive committee.

Q. You were examined as a witness before the committee of forty, were you not?—

A. Yes, sir.

Q. Who examined you?—A. Mr. Bowen.

Q. Give his full name.—A. I don't remember his full name. He is a young lawyer there who conducted it. I think his name is Philip Bowen.

Q. Do you remember whether you signed a deposition?—A. I think I did.

Q. Were you inquired of one word as to what occurred in this riot of the 3d of November?—A. I think I was. You have my deposition there; it is published.

Q. I am testing your recollection now.—A. Yes, sir.

Q. Was there one word inquired of you as to what occurred in this riot?—A. Yes, I think there was.

Q. You think there was.—A. Yes, sir.

Q. Now I will be fair with you and let you look over your testimony and see what you say about it, because I desire to deal fairly with you.—A. I also would desire to deal fairly with the committee.

The WITNESS. [After examining the report of the committee of forty, handed him by Mr. Lapham.] I find that I am mistaken.

Q. Then you were not inquired of as to anything which took place on the 3d of November.—A. From that I think I was not; I was laboring under the impression that I was.

Q. It was well known that you were there, wasn't it?—A. Yes, I think it was. It is some time since I read that report.

Q. It was well known that you had a pistol.—A. I think it was.

Q. And that you fired your pistol.—A. Yes, sir.

Q. Why you were not inquired of you are unable to state.—A. I am unable to say.

Q. Were you not sworn to tell the whole truth?—A. I think perhaps I was.

Q. The subject of that inquiry was the riot, was it not?—A. It was.

Q. And you were sworn to tell the whole truth.—A. Yes, sir.

Q. And yet you did not say one word about the riot itself.—A. They examined other persons there upon that particular point.

Q. Yes; but you were at liberty to tell what took place. Can you give any reason why you were not examined as to this riot?—A. I cannot.

Q. You were alone during all these proceedings, were you not?—A. No, sir.

Q. Who was in company with you?—A. I didn't notice any one particularly, just at that time. There was a good large crowd; the street was full.

Q. I am speaking now of white people.—A. As I came out, I didn't know that there was any one with me at all—

Q. I repeat again the question, were you alone during all this period when you fired these four shots?—A. I was not alone, but I didn't remember until since then who was with me.

Q. Well, if you remember now, you can answer who was with you.—A. Mr. Charles H. Conrad, I think, when Adams ran into the door, was standing by my left arm when I ordered Adams to get in the house, in the front door.

Q. What right had you to order him?—A. He threw up his arms and begged for mercy, and I wanted to save his life.

Q. That is the mode in which you did it; you ordered him in?—A. I ordered him in; told him to get in the house.

Q. Who else was with you?—A. I don't remember who else was there; there were a number of persons; the crowd was pretty thick.

Q. Of white people?—A. There were some white people.

Q. Can you name any other one than the one you have named?—A. I could not have named any one at all; some gentlemen have reminded me since that they were near.

Q. I prefer your recollection of what took place at the time; what I want to get at is whether anybody was co-operating with you at that time or whether you were acting on your own responsibility?—A. I was acting on my own responsibility.

Q. Do you know whether you hit any person?—A. I do not.

Q. Did you design to hit any person?—Well, I can't say—

Q. Give me a frank answer to that question?—A. I can't say that I did.

Q. Did you design to fire without hitting anybody?—A. I designed to protect myself.

Q. Did you design each pistol shot you fired not to hit anybody?—A. No, sir; I didn't say that.

Q. You fired then with the idea that you might hit some one?—A. I fired with the idea that I might hit some one—

Q. Are you sure you didn't hit any one?—A. I am not, sir.

Q. You might then have killed one of the men who was killed?—A. I can't say.

Q. You might have done so?—A. I can't say; there was no one who fell there.

Q. You may have done so.—A. I can only say this: that there was no one shot and I saw no one fall, and I didn't see any one who was shot.

Q. You shot in the crowd?—A. I shot in the crowd.

Q. A man might be ahead of your bullet and fall without you seeing him?—A. He didn't fall there.

Q. No; but he might fall.—A. There was no one fell in that part of the street; I saw no one fall at all.

Q. For what purpose did you procure this revolver originally?—A. I procured it for this purpose—

Q. Well be frank about it.—A. I will. From the state of feeling that was existing, *I was very sure that there was bound to be a collision between the races.* I was very sure that there would ultimately be some collision between the races, and I thought it was necessary for every one of us, every white man, to be prepared to defend himself and his family.

Q. No one had ever molested you, had they?—A. What do you mean by molesting?

Q. I mean what that term implies; no colored man had ever assaulted you, had there?—A. Yes, sir.

Q. When?—A. Upon several occasions.

Q. Name one.—A. Well, some years ago—

Q. Oh, I don't want to go back in the buried past. I mean during that time.—A. I wish to answer your question frankly, and if you will permit me to do so, I will do it.

Q. Well, go on.—A. Some time ago—it has been some considerable time—I was walking on the street with Mrs. Graves on my arm—

Q. When was it?—A. It has been two or three years ago.

Q. Very well, go on.—A. I was walking on the street with Mrs. Graves on my arm, and I met some colored women, and one of them endeavored to run right between Mrs. Graves and myself, although she had hold of my arm.

Q. A colored woman?—A. A colored woman; that was one occasion.

Q. Was that all there was of it?—A. I caught her and shoved her to one side, and moved on. That is all of that.

Q. Now do you mean that that occurrence prompted you to buy a pistol three or four weeks before election?—A. I don't mean that that alone did.

Q. Who was that woman?—A. I didn't know her.

Q. Was it in the day-time?—A. It was in the day-time on Sunday.

Q. In broad daylight?—A. In broad daylight.

Q. Had you a pistol then?—A. I had not.

Q. Did you have one before you purchased this?—A. Many a one I have had. I just told you I was an old soldier; have been in the army.

Q. I mean during your living in Virginia?—A. I have not used one. I have a pistol that I got during the war. That I gave to a widowed sister who lives in the country, and I had had no pistol for many years at home until I purchased this one.

Q. Now, what other menace, if any, was there which prompted you to buy this pistol?—A. I have very frequently, in walking the streets—a good many of the sidewalks on our streets have rocks, what we call stringers, two parallel lines, upon which the people generally walk. Frequently, in walking the streets, I have encountered negroes, more particularly negro women; I have generally turned to the right, and I have very frequently come in contact with them. I first gave the way, but I found if I continued to do it they would press me off the sidewalk altogether, and I generally walked straight along on the right hand, and if I come in contact with any one, why, they generally give the way; I didn't strike her with my fist or anything of that kind; I generally strike them with my shoulder, and pass on; I have had frequent occurrences of that sort. Upon another occasion, not very long before this thing occurred, there were a couple of negroes in my warehouse—I have a tobacco warehouse in town; that is my business, selling tobacco on commission—a couple of negroes came up with a basket of tobacco and ran with the basket against me; there was no necessity for it, they could have walked past; they could have passed around without striking me at all, but they ran right against my leg and hurt me a little; I remonstrated a little with them for doing so, whereupon they cursed me.

Q. What did he say?—A. He said, "God damn you, I'll strike you."

Q. What did you say?—A. I hit him over the head with my stick, sir.

Q. What more?—A. That was all.

Q. That was all of that occurrence, was it?—A. That is all of it.

Q. Did you have him arrested?—A. He had me arrested.

Q. How soon?—A. In a few hours.

Q. Who before?—A. Before the magistrate, a man by the name of Luck.

Q. Was the case tried?—A. Yes, sir.

Q. And you were acquitted, I suppose?—A. I was not.

Q. You were not?—A. I was not. Mr. Luck asked me if I was afraid of the negro.

Q. You don't say you were convicted there?—A. I say that I was fined.

Q. Is that so? When was that?—A. That was two months before the election.

Q. How long before you bought this pistol?—A. Not a great while before that; perhaps a month or two; I don't remember the exact time.

Q. You paid the fine, of course?—A. I did.

Q. And had money enough left to buy this revolver?—A. Yes, sir.

Q. Can you name any other incident or menace that prompted you to buy it? What was the name of that colored man?—A. I don't remember his name; I didn't know him, and don't remember his name now.

Q. Now, do you mean to say that you lived in fear from that occurrence?—A. No, sir; and that was one reason why I was fined. The magistrate asked me if I was afraid of the negro doing me any bodily harm. I told him I could not say that I was, as I felt perfectly able to protect myself. Although I was getting a little old, I was not afraid, and could not say that I was.

Q. Then you didn't entertain any fear of personal injury that prompted you to buy this revolver?—A. Not upon that occasion, I didn't.

Q. What?—A. I say I didn't entertain any fear of personal injury from that party.

Q. Well, you didn't know of any one else, did you, who would be likely to threaten you?—A. There was very great excitement all through the town; there were a great many threats being made; threats of violence.

Q. Was there any excitement before the circular was issued?—A. Yes, sir.

Q. What time was that issued?—A. I don't remember the date.

Q. About how long before this occurrence?—A. It was, as well as I remember, a few weeks.

Q. Do you know who wrote it?—A. Yes, sir.

Q. Who?—A. Judge A. M. Aiken wrote it.

Q. Where does he reside?—A. In Danville.

Q. Do you know how many were printed?—A. No, sir.

Q. It was printed in large numbers, wasn't it?—A. Large numbers, and a considerable demand for them, and we could not print them fast enough.

Q. Was it not sent to the Democratic headquarters, and printed by them?—A. No, sir; they were printed in Danville.

Q. Don't you know of any printed anywhere else except in Danville?—A. I don't; I suppose there were.

Q. You have no doubt about it, have you?—A. I don't know, but my impression is that they were.

Q. Do you know how extensively it was circulated?—A. I think it was very extensively circulated.

Q. Very extensively?—A. I think so; I think there was a very considerable demand for them.

Q. It was not circulated openly, was it?—A. I think so.

Q. Was it about Danville?—A. No, they were not circulated immediately about Danville; it was issued there.

Q. How much was the fine for your assault upon the negro?—A. It was a nominal fine, and the costs I don't remember exactly, but some five or six dollars, something like that, as well as I remember; I don't remember; the fine was nominal.

Q. How much was the fine; I am not asking about costs?—A. Very small; I don't remember.

Q. Less than a dollar, wasn't it?—A. I think so; I think perhaps it might have been a dollar; I don't remember the amount.

Q. Were these two colored men in your employment?—A. They were not; they were in the employment of Mr. Shelton.

Q. What were they there with a basket of tobacco for?—A. They were getting up his tobacco.

Q. Which was in your warehouse?—A. In my warehouse; they were in his employment.

Q. When was that occurrence?—A. I can't give the time exactly.

Q. About when?—A. It was a few months before the election, as well as I remember.

Q. Did you see either of the two colored policemen the day after the riot?—A. I don't remember to have seen them.

Q. You know them both, do you not?—A. Yes, sir.

Q. Were they not excellent police officers?—A. I cannot say that they were.

Q. Can you say they were not?—A. I cannot say they were not.

Q. Didn't you esteem them as fairly faithful officers?—A. I can't say that I did.

Q. You know nothing to the contrary, do you?—A. No, sir.

Q. Wasn't it understood there prior to the election among the Democrats that in case there was a Coalition procession or parade it was to be broken up?—A. Sir?

Q. Wasn't it understood there prior to the election that if the Coalitionists undertook to have a street procession in Danville it should be broken up?—A. No, sir.

Q. Did you hear nothing of the kind?—A. I heard that there was some probability of there being a street parade there on the morning of the election. This was the

rumor; I don't know how it got about or anything about it; it was rumored there was to be a torchlight procession the morning before the election, and they were to march in three columns to the polls and take possession of the polls. That was the rumor; I can't say how it originated or anything about it.

Q. Now, please answer my part of the question. Wasn't it understood if that was attempted it was to be broken up?—A. No, sir; I will answer you frankly. There was no understanding to that effect, *but I think if it had been attempted it would have brought about a collision; I will frankly state that.*

Q. And your understanding was, then, it was to have taken place the evening before election?—A. On the morning of the election, before day.

Q. Who did you hear say anything of that kind?—A. It was a general rumor.

Q. Just answer my question, please; who did you hear say anything of that kind?—A. I can't say.

Q. Name any one person.—A. I cannot name any particular person now; I will simply say it was the general rumor of the town.

Q. Well, a general rumor among Democrats?—A. I presume it was among Democrats.

Q. Did you hear any such thing from the Coalitionists?—A. I did not.

Q. Then you must have heard it from Democrats. You had no intercourse with the opposite party, had you?—A. I had none, sir.

Q. So you must have heard it from Democrats?—A. I think it was from Democrats.

The evidence shows the whites were firing down Main street in the direction where Graves says he stood. They were firing at the negroes as they ran by Mr. Graves into Market street.

Captain Graves had a No. 44 caliber pistol—a six-shooter—the most effective arm he could get.

The witnesses state the report from it was louder than from the other pistols.

The evidence shows that when the firing began this witness was up near the white men who commenced the firing, and that as the negroes fled he ran down Main to the corner of Market street, and then fired in several directions, and, as before stated, he shot Charles Adams in the arm. It was also proved that after the firing he said that it had occurred three days sooner than they expected. It was also proved that as he stood at the mouth of Market street he hallooed: "Clear, clear yourself; we'll kill the last one of you." During the time of the firing a white man by the name of Holland was hit in the head and the proof is very satisfactory he was shot by the whites. He had two pistols in his hands and was firing at the time he was shot.

This is proved by Daniel Dugger, a white Democrat, and by others. Dugger also said:

Q. You saw Mr. Hatcher?—A. Yes, sir.

Q. With his pistol raised?—A. I saw Mr. Hatcher when he deliberately came off the sidewalk, walked in front of the niggers and told them to git, and when he did so, he turned and said, "Boys, stand by me," and when he did so he fired deliberately into the negroes as they ran off. Then this crowd from across, Mr. Lea, Mr. Taylor, and Oliver and Dr. Temple, and a whole parcel of others; they fired directly at the crowd as they passed off, and then commenced the general firing.

Q. Now, you have it that the negroes were running when the first pistol was fired?—A. They had turned to run off as Hatcher ran out. When he hollered to the boys to stand by him, they turned and run.

Q. They were on the run before the pistol was fired?—A. Not before the first pistol.

Q. But before this general firing?—A. Yes, sir.

There was no evidence that the negroes fired a shot until after the whites fired the general volley at them, and the weight of the evidence is that very few had any weapons, but that they were unarmed and defenseless, gathered there in their working clothes as they had come out of the factories, of all ages and both sexes, and unquestionably gathered from curiosity and not with any view or purpose of violence or preparation for it. The whites, on the contrary, were generally armed, were

expecting an outbreak, and obviously seeking a pretext for resorting to violence, as will be seen later in this report. Many of the whites emptied their revolvers, and the evidence shows that Captain Graves was seen reloading his. There was conflicting evidence as to the negroes having arms. Only one is shown to have exhibited any before the firing, and the colored witnesses and many of the whites, including some of the policemen, say they saw no arms in the hands of the colored men except the one named, and there is no reliable evidence he fired it. There was no evidence to be relied on that any of the colored men fired, except some witnesses state that they fired shots as they were running, fired over their shoulders. Most of the witnesses state they did not even see that. Judge Blackwell and Mr. Dugger, who were looking directly on from an upper window, say they saw no such shooting. That portion of Mr. Dugger's evidence in relation to this point is as follows:

Question. Where do you reside?—Answer. I live in Danville, Va.

Q. Give your age.—A. I am fifty-two years of age.

Q. How long have you lived there?—A. Twenty-six years.

Q. What is your occupation?—A. I am a merchant.

Q. Politically, what are your affiliations?—A. Democrat.

Q. Have always been?—A. Except on a few occasions I have voted for personal friends.

Q. Were you at home on the 3d of November last?—A. I was; I was in the town of Danville.

Q. Where were you at the time of this shooting?—A. I was in the office of Blackwell & Crumpecker.

Q. Nearly opposite the occurrence, in front of Woolfolk & Blair's insurance office?—

A. Yes, sir; nearly opposite the occurrence, in front of Woolfolk & Blair's.

Q. Who was with you?—A. Judge Blackwell.

Q. Describe what you saw and heard.—A. I came up to Judge Blackwell's room on a matter of business. I was sitting; no one in the room but myself, and I started to the stove to light my cigar, when I heard the cry of murder. I went immediately to the window, and he and I approached the window at the same time. I raised the window, and in looking over the street I saw a young white man, whom I knew, and a negro in a fight, the young man striking him over the head, and the negro hollering murder; two or three other men standing with pistols.

Q. Who were the persons engaged in the fight?—A. Charles Noel and a boy by the name of Hense Lawson. George Lea was standing with his pistol, and a young man by the name of Taylor and a young man by the name of Dance. Dance was standing in the door with a gun in his hand. There was a crowd which accumulated. I saw at first from twenty-five to thirty, and it increased very rapidly; and soon after, immediately, a few minutes, a negro boy came over from the opposite side of the street, Mr. B. W. Graves's, and ran to Lea and attempted to jerk the pistol out of Lea's hand. At that time Mr. Taylor struck him in the street, and the negro staggered, and directly Lea fired the first shot at this negro.

Q. Who fired?—A. George Lea. As soon as he fired that shot some gentleman, I think Mr. Robinson—I will state that this man Robinson, Mr. Burkley, and Mr. Corbin had been there. During the fuss there was a large crowd accumulated, and they were protesting, trying to end this difficulty as much as possible. As soon as this pistol was fired, some one took Mr. Lea off, probably eight or ten steps; but in the mean time Edward Hatcher came up, and some one had gone down to the opera house (at least I don't know that). In the mean time there were parties came from the opera house up street, and before they reached there Mr. Hatcher ran out in front of the negroes and remarked to them, "Git," fired, and remarked, "Now, boys, stand by me." When he did that there was probably a dozen or twenty fired right across the street.

Q. Into the crowd of colored people?—A. Yes, sir; as they were running off.

Q. Name those of the white persons whom you knew.—A. I knew Mr. Oliver there; I knew Dr. Temple; I knew Withers; I knew Taylor; I knew Corbin, who was not in the difficulty that I know of; I knew Mr. Hatcher; I knew Mr. Holland; I knew Mr. Dance; and I knew Mr. Friend. I could say a hundred of them.

Q. When the first firing took place what became of the colored people?—A. They ran into every alley and corner, and everything else, from the street.

Q. What did you observe as to whether the whites followed them?—A. They did follow them.

Q. Did they fire at them as they ran?—A. Yes, sir; promiscuously. Of course after passing a certain corner, I just stopped. I was telling what was in my view.

Q. Did you see any of those who were killed?—A. I did.

Q. How many?—A. I saw three.

Q. Where were they?—A. One was on the corner of Market, on the opposite side of the street from where I was on, near Mr. Joplin's store, on Market street.

Q. Where were the other two?—A. The other two were on the corner of Mr. Weisman's, Union street and Main.

Q. Up Main street?—A. Yes, sir; very close together. I knew the boy that was shot on the market. His name was Wilson; and one of the others.

Q. Did you notice where they were hit?—A. Yes, sir; my impression is that this boy on the market was shot in the mouth. I looked at him very closely, saw him when he was breathing his last breath.

Q. How were the other two hit?—A. The others were shot in the head, I think.

Q. What part?—A. Back of the head; that is my impression; I would not be certain about that.

Q. Were they all dead?—A. Yes, sir.

Q. Did you notice what Noel had, if anything?—A. I did not, as I stated in my evidence. I notice in one of the papers of Richmond I am represented as stating that Mr. Noel struck him over the head with something. I did not state that. I thought before I gave my evidence, and corrected it before it was carried out—stated he was hitting Lawson over the head, and blood was flying out of his head; I don't know whether he hit him with knuckles or not.

Q. You do not know whether he had knuckles on or not?—A. No, sir.

Q. What did Lawson appear to be doing?—A. He appeared to be simply defending himself. I will state that I didn't see the first blow; don't know who struck it.

Q. Who struck the man who was trying to get the pistol from Lea?—A. Taylor.

Q. And then the negro run?—A. The negro staggered, and as he staggered Lea rose from the jerked position in which he was, and fired at the negro; not at the crowd, but deliberately at the negro. There was no misunderstanding; he aimed it sure.

Q. Did you see any colored people with arms?—A. I did not.

Q. Or hear any shots from them?—A. I did not.

Q. What was your relative position from your point of observation?—A. I was standing in an elevated position, looking right over them; could see, I reckon, as much as any man could see; that is, there was nothing in the way at all.

Q. How far?—A. I was about 40 or 50 feet from the scene.

Q. Could you hear Hatcher distinctly?—A. I knew him; knew him well, and saw every bit of his movements. I believe to-day if Mr. Hatcher hadn't fired that pistol there would not have been any negroes killed. I know he had that pistol. I understand Mr. Hatcher denied having a pistol; but I know it as well as I know I am living, or know anything.

Q. How many shots do you think were fired in all?—A. Well, sir, that is a right hard question. I think there were over one hundred guns, and I think there would have been fifty negroes killed if they had shot with precision.

Q. Had you heard anything prior to this occurrence on the subject of probable violence?—A. Not to the negroes, sir.

Q. It was all unexpected to you?—A. Except this, the excitement of this speech of Colonel Sims. I will state that the night before, on Friday night, I was there and heard Colonel Sims's speech, and that there was considerable excitement in regard to his abuse of the signers of the circular. I did not approve of it.

Q. Now, did he speak of those gentlemen, in any other way than for the act of signing that circular?—A. I will tell you (I think I have his words verbatim): Colonel Sims went on and denounced the whole of that circular. In doing so he appealed very frequently to the colored people whether it was so or not. They, of course, as they denied anything of the kind, would give demonstrations of the fact. He went on then to the close; and at the close of it he denounced every man as a liar, scoundrel, and everything else. I thought his remarks were unfortunate, and that there were good men there, and didn't think some of these men really signed that. It was a magnified circular. I reckon I know about as much about Danville as anybody else; had been a magistrate there four or five years, and was register there.

Q. Were his criticisms of the circular unfair, as you viewed them?—A. Well, the circular magnified; the statement I thought was unfair to the parties who had signed it, believing they had done so at the request of the parties who originated it.

Q. Did you understand him as assailing them outside of the fact of signing the circular?—A. Not at all; only denouncing the slanders, the act of signing that circular; that is it.

Q. He did not go outside to attack them as citizens?—A. No, sir; I did not understand him that way, at all, sir.

Q. What was the character of the crowd of colored people who were there?—A. Very orderly they were, certainly.

Q. Were they all of one sex, or a mixed crowd?—A. You are speaking of the time

of the firing? Oh, well, a good many women and children. It was market hour, and right on the street where they frequent every Saturday—a large crowd—a crowd probably assembled there on that day on account of not working; as a general thing they were not working.

Q. They collected rapidly soon after this disturbance began?—A. Yes, sir; the colored people were out in the street, not upon the sidewalk, and the white people were on the sidewalk, and they congregated rapidly.

Q. They took no part in this affray?—A. I did not see it if they did. I heard the remark after Lea shot—I heard one or two negroes say, “Why, there is the man who shot him.” I know one thing, I know the officers went up and attempted to stop this difficulty, and were prevented from doing it.

Q. Did you not hear them call for the arrest of the man who shot the pistol?—A. I saw the officers get up and attempt to arrest them and they told him he should not arrest him.

Q. Who?—A. This man Lea, and Taylor, and the rest.

Q. They forbid the arrest?—A. Yes, sir.

Q. With their drawn pistols?—A. Yes, sir.

Q. It was the colored people who called for the arrest, wasn't it?—A. I don't know.

Q. But you know the officers were prevented?—A. I know the officers were prevented by these men, and this man Dance was standing with a doubled-barreled shot gun in an attitude of firing in the door.

Q. Did you see any arms come out of that shop?—A. No, sir; I did not. I saw plenty of men with arms though, any quantity of them.

Q. They began coming from the opera house at what time?—A. They commenced coming from the opera house about the time just before Hatcher fired, commenced when he fired, and this volley was fired, and then the general firing all over the streets.

Q. Did you know where Mr. Holland was shot?—A. Yes, sir; he was shot just above Woolfolk's. He had two pistols, one in each hand.

Q. Was he in the direction of the firing?—A. No, sir; he must have been shot by a white person standing on the steps of Mr. Paxton's, a few doors above. By standing on the steps it would elevate a man a little higher than a man on the curb-stone, and he was standing on the curb-stone. He was shot in the back of the head, sideways.

Q. Was there anything unnatural or unusual in the colored people gathering there when that trouble commenced?—A. No more than I have seen at other times under similar circumstances.

Q. Being there on the streets, they would naturally congregate to see what the trouble was?—A. I have seen it many times in a street fight.

Q. Did they not commence fleeing when Lea fired the pistol at the colored man?—A. They did; they were running. Some of them actually fired before they could turn around.

Q. Before Hatcher gave the order?—A. Well, I think, probably some of them gave way, and they came back after Lea shot. They came back and some one said, “There is a man shot—who shot him?” Some one made a mistake, and said Mr. Taylor was the one. He remarked to them that he hadn't shot, but they could get the effects of his pistol then, or something of that kind. I heard every word, of course, or pretty much all. There were other persons present right at the time. Mr. Berkeley was one of them. I saw them trying to do as much as they could do, everything to prevent it. I don't say there was not weapons. I only state I didn't see them; there might have been forty of them there.

Q. What time did you vote on election day?—A. I voted very early. I was going to Richmond. It was before 9 o'clock. I intended going to Richmond previous to the election but for that difficulty.

Q. You didn't remain in town during the day of election?—A. No, sir; everything was quiet when I went to the polls.

Q. You voted the Conservative ticket?—A. I voted the Democratic ticket.

Q. Well, the straightout Democratic ticket, I think it is called?—A. Straightout. I gave them the full benefit.

Q. Did you see anything that indicated the white people were in any danger from the blacks?—A. I did not; never apprehended anything of the kind. I had as many difficulties, I reckon, as any man in the town of Danville, but it has been with the lower class.

Q. Did it not appear to you that this firing upon that crowd by the whites was a designed, premeditated act?—A. I thought this. I did not think that the difficulty between the young men, that their difficulty occurred through any political preparation or anything of that kind. I can say this, that I was not in Danville for several months before the election, and was not as well prepared as some person in town would have been. I did not belong to any club, therefore could not state.

Q. Was there any cause that you could see there for that firing?—A. None at all, and I did not see any.

Q. An effort has been made here to have it appear here that this firing was in self-defense.—A. Not that I could see. I saw no demonstration upon the part of the negroes to use any arms of any kind or any description.

Q. So far as you could judge, then, the firing by the whites was without any justification?—A. I did think so.

Judge Blackwell, who stood beside the witness, fully confirmed him in the account thus given, and their evidence is free from bias or suspicion.

The evidence shows that the fire-bell was rung, but not for a fire. On the contrary, it was the signal for the Union Grays—a secret signal which the witnesses refused to disclose. Later, it will be shown that a man who was called back to Danville by a telegram explained this signal-bell. The whites came rapidly from all directions, and arms were distributed to those who had none, from the shops and stores.

The committee have thus given somewhat in detail the leading events which led to the massacre of the colored men. It is by no means difficult to arrive at conclusions which are entirely satisfactory. The alleged insult to Noel, which Lawson and Lewellyn deny, and of which there is no evidence except by Noel, was a mere pretext for a resort to violence. Noel admits that Lewellyn was the one who insulted him; that Lawson apologized, and he accepted the excuse. Lewellyn proved more than a match for Noel, and another fight with him was undesirable. Lawson was, therefore, selected. The defense proved by a witness who had been drinking with Lawson that day that Lawson was intoxicated and incapable of defending himself, and in that condition he was beaten by Noel in the manner before described, while Lea and Taylor stood on either side of Noel with revolvers drawn and refused to allow any interference even by the police until, as Lea admits, he became afraid Noel would kill Lawson. Lea said, "Stand back; I will shoot the last one of you damned niggers' heads off."

The evidence is satisfactory that Noel had on his hands a pair of knuckles of iron or brass. Noel was not called to deny it. It is difficult to see how he could have so beaten Lawson with his naked fists. Lawson was covered with blood, and Noel's face, hands, and clothes besmeared with blood also; so much so that his friends entreated him to go away, as the blood upon him would excite the negroes. The assault upon Lawson, and the brutal beating he received at the hands of Noel, can find no apology in the facts proven, but was a wicked and malignant attack, aided and abetted by Lea and Taylor, who stood as guards with drawn revolvers to prevent any intrusion.

Lawson said he was not expecting any assault, but supposed that Lewellyn would be the one to be attacked, if either.

The firing at Adams by Lea as Adams was running across the street, and the killing of Smith at his side, led to the demand by Adams of one of the police to know who it was that fired the pistol, and while that inquiry was being made the whites formed in line, with Lea at the head, and Hatcher lower down the street, and a volley was fired by the whites at the colored men in the streets, as one of their number stated, without any warning whatever.

Judge Blackwell stated that the blacks had turned to flee before the firing began. The pretense that the whites fired in self-defense, as so many of them state in answer to a stereotyped question, is not only unsustained by any fact proved, but also expressly disproven by cool and disinterested spectators like Judge Blackwell and Mr. Dugger. Upon all the evidence it is clearly established it was a wanton, wicked, and groundless attack upon unoffending men, women, and children.

During the summer nearly a hundred indictments had been found against people for carrying arms contrary to law. The colored people were influenced by this to discontinue the practice, while the whites continued to do so in violation of law. Captain Graves admitted this. After the election the indictments were dropped and have never been prosecuted.

WAS THE VIOLENCE PREMEDITATED?

The evidence on the subject is conclusive. We have already referred to the Danville circular and the resolutions to withdraw patronage from the Coalitionists.

Mivins, a colored barber, a reluctant witness, as his customers are white persons, stated that in the forenoon of November 3 white Democrats brought boxes containing pistols to his shop; that they were engaged in loading them; that they left the paper boxes with him, and he was told he had better keep off the street that afternoon. He also said a great many of his customers, whites, were armed. The boxes left were new, and have never been called for. Another witness stated he heard a conversation between 11 and 12 o'clock the day of the massacre between John Edwards and R. Williams, two Democratic ex-policemen. His statement is as follows:

I was sitting outside of a shed that Mr. Pleasants had there; two white men come, Mr. Williams and Edwards, running up the street, and had some little bills in their hands, but what they was, that I was not able to tell, and just as they got against the fence Mr. Williams walked inside of the alley and handed some to a lady at the door a little above, and came right back beside the fence I was sitting by in a sort of little cabin that Mr. Pleasants had for a workshop, and heard Mr. Williams tell Mr. Edwards: "You go to Mr. Schoolfield's and get all he has got, and from there to Colonel Grasty's store and get what he has got, and I will meet you at Mr. Joplin's—myself and Captain Graves—and then we will go from there to Captain Graves's house." But I didn't understand what they were going to do; I didn't understand that until I came down street, after they had made these expressions, and there was two white gentlemen there from North Carolina remarks in my presence, "There are going to be hell to pay here directly," to the other gentleman that was with him, and he said, "What is it?" Says he, "We are going to fire on the niggers this evening."

Neither Edwards nor Williams was called to deny this.

Another witness states he was at the store of Tyack & Schoolfield on the afternoon of the 2d of November, and gave the following statement of what occurred there:

- Q. Do you know where Schoolfield & Tyack's hardware store is?—A. Yes, sir.
 Q. Where is that?—A. That is down on Main street.
 Q. Were you there on that day?—A. Not on Saturday. I was there on the 2d.
 Q. What time?—A. I suppose about as near as I can come at it, about half past 3 or 4 o'clock.
 Q. In the afternoon?—A. Yes, sir.
 Q. Did you see any weapons there, or guns or pistols?—A. Yes, sir; I saw a great many guns.
 Q. Did you see anybody doing anything with them?—A. Yes, sir; I saw two white gentlemen loading them.
 Q. Loading what?—A. Double-barrel shot-guns.
 Q. How many?—A. I suppose about one hundred or one hundred and twenty-five; somewhere there.
 Q. Did you notice what they were loading them with?—A. I couldn't tell whether they were cartridges in the shell that they were putting in or ball.
 Q. They were breech-loaders?—A. Yes, sir. The cartridges might have been loaded with shot.
 Q. They were loading them with shells?—A. Yes, sir.
 Q. Do you know who the men were?—A. No, sir; I don't know neither one of the gentlemen's name.
 Q. How long did you see them at work at it?—A. I went there to get some faucets to put in some barrels, and when I got them I left.
 Q. Can you say how many they loaded while you were there?—A. I didn't take very particular notice how many they loaded.

Q. Where did they place them after they loaded them?—A. Well, they had a show-case something like that [indicating book-case] setting up a little behind the counter there, and they had right smart in that.

Q. They put them in there?—A. Yes, sir; and one was setting them down in the corner on the floor.

Q. Did you see pistols there?—A. No, sir; I didn't see any pistols.

Q. Nothing but double-barreled guns?—A. No, sir.

Q. Was your relative killed, as was reported to you?—A. Yes, sir.

Q. What was his name?—A. Jerry Smith.

Q. Where did you find him?—A. Now, going down town I met him coming out. They had him in a vehicle coming out. He was dead when I saw him.

This was uncontradicted.

Another witness, a huckster in the market, stated as follows:

Q. Now, had anything occurred in your business prior to this that led you to think there was a prejudice against the colored people there that was cropping out?—A. Yes, sir; I thought that was.

Q. Tell just what took place now in reference to your own business.—A. Well, before the election—

Q. How long before?—A. Probably a month or more—the citizens stop patronizing we colored people generally.

Q. Did any of them tell you the reason?—A. They told me the reason they didn't patronize us because they had passed a resolution in the club that they wasn't to patronize us.

Q. Wasn't to patronize the colored people or Coalitionists?—A. Yes, sir.

Q. And your trade was taken away from you?—A. Yes, sir, to a great extent; our heaviest trade in the market consists of white people, of course.

Q. What description of people did you furnish?—A. We furnish any of them.

Q. Boarding-houses?—A. Boarding-houses and citizens in general.

Q. Did any one make any proposition to you as to what they would do if you would join the Democratic club?—A. On one occasion they did.

Q. Who was it?—A. Mr. Jennings.

Q. What did he say?—A. He said he thought it would be better for us—now recollect this was after the election, this was not before the election.

Q. How soon after?—A. Probably a week.

Q. State it.

Mr. VANCE. I don't think that would bear upon the subject of the election. The object of this investigation is to ascertain—

Mr. LAPHAM. Yes, I supposed it was before when I made the inquiry. I won't press it if you object. (To the witness:)

Q. There was no proposition made to you before the election?—A. No, sir; not to me at all.

Q. But the trade had been taken from you?—A. Oh, yes, the trade had been taken from me.

Q. Was it by white people?—A. Yes, sir.

Q. Your white customers?—A. Yes, sir.

Q. Democrats?—A. Yes, sir.

Q. Have they ever come back trading with you since?—A. Yes, sir; to a great extent they have.

Q. Do you remember one occasion when you were passing the Democratic club rooms?—A. Yes, sir.

Q. How long before election was that?—A. I don't know exactly how long it was.

Q. It was during the campaign, wasn't it?—A. Yes, sir; some time during the campaign, a lot of us passing by the old post-office there—the Democrats had their club room up there—I heard some one speaking up there that night.

Q. Were the windows open?—A. Yes, I believe they were.

Q. What did you hear?—A. I heard one gentleman say in his speech that they intended to carry the election there either with fair means or foul.

Q. Could you recognize his voice?—A. I thought it was Mr. Henry Barksdale. I would not be willing to swear it was him.

Another witness states that about the first of October he was at the hardware store of Mr. Vass, on Main street, and he describes what he heard there as follows:

RUFUS HATCHET sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. I live on Jackson Branch.

Q. In Danville?—A. Yes, sir.

- Q. How long have you lived there?—A. I have lived there about eleven years.
- Q. Where did you live before that?—A. I came from North Carolina.
- Q. You were a North Carolinian by birth, then?—A. Yes, sir.
- Q. Were you a slave?—A. Yes, sir.
- Q. What is your business in Danville?—A. Carpenter.
- Q. Who did you work for?—A. I worked for myself.
- Q. You carried on the business yourself?—A. Yes, sir.
- Q. Do you remember being on one occasion in Mr. Vass's store?—A. Yes, sir.
- Q. Where is that?—A. That is on Main street, near in front of the Market square.
- Q. How far from the scene of this riot?—A. I suppose, from the report which I have heard from the riot, it must have been right in front of it.
- Q. Did you see Captain Graves there?—A. At Mr. Vass's store?
- Q. Yes.—A. I did not.
- Q. Did you see any one there whom you knew?—A. Oh, yes. When I went down there—
- Q. How long before this riot was it?—A. That was about the first Monday in October.
- Q. Did you hear any conversation there about arms?—A. Here is the way I come to know what I am before you to speak.
- Q. Tell just what you heard there.—A. I went down there—it was about 8 or 9 o'clock in the morning—to Mr. Vass's hardware store to get some nails, and Mr. Fox, coffin-maker in the town of Danville, went in just before me, and when he got in he says to Mr. Vass, says he, "Is not our town in a dreadful fix?" And Mr. Vass says: "Yes, it is; and we are not going to stand it." Says he, "Before we will stand it we are going to shed blood." Mr. Fox answered him then this way: "I am old, and of course I can't do anything but just look on." And then Mr. Fox goes out, and about the time Mr. Fox got up just before the corner, coming up towards Mr. Catlin's office, Mr. Charley Holland come in, and when he come in Mr. Vass was down near the rear part of his store. He called, and says, "Vass!" Mr. Vass answered, "Sir," and came on, meeting of him. He says, "Is not your boys come yet?" And he says, "No; they have not got here yet, but I have got the bill of lading for them"; he says, "I am expecting them now on every train." And then Mr. Holland turned around and starts out. When he got out just about middle way of the counter—the partition goes between the two counters—he then says back to him, "How many did you send for?" He says, "I sent for five hundred"; and then Mr. Holland goes on out. Just as Mr. Holland got out on the street going towards the bank, in come Mr. Gerst's son—one of them, but which one I am not able to say; I don't know the names of neither one. When he got about that distance, then some gentlemen, another gentleman (I was showing him to some of these boys that are here now, Sunday, when we come down to the train; they called his name, but I couldn't call it now); the one that I pointed out; both came in together, and they called him, and said the same words to him.
- Q. Repeat what they said?—A. They says, "Vass." He says, "Hello." He says, "Is your boys come?" He says, "No, they haven't come yet, but I have got the bill of lading for them." Then, at that time, he says, "Well, if they don't get here soon we will have no time to practice." Mr. Vass said, "Yes, if they come to-day or to-morrow you will have a month now to practice," in that way. At that time in come Mr. Boisseau, and he calls him and repeats the same words, only in this way. He says, "Vass." He says, "Hello." Then Mr. Vass was right behind the counter. He says, "Is your bull-dogs come?" and he says, "No, they haven't got here yet, but I have got the bill of lading for them." Then at that time one of the clerks says, "I am ready to wait on you now." That was me, and I told him I wanted some nails, and he went around the counter and asked me how many nails I wanted. I told him, and when he was fixing up the nails for me I said to him, "Is that some new kind of dogs that Mr. Vass has ordered. He said, "Oh, no; they are pistols; pistols that you don't have to cock them at all." Says he, "Just as long as you pull you keep firing." "Oh, yes," says I. At that time I had my nails fixed up, took them, and went out.
- Q. Were these all white men?—A. Yes, sir.

No one of these persons was called to disprove this. Another witness states that Mr. Bendof, a Democrat under whom he was at work on the corporation, warned him of the danger which was imminent. His evidence on that point is as follows:

- Q. What is your business?—A. I have been a corporation hand in Danville nine years.
- Q. You work on the corporation?—A. Yes, sir.

Q. You remember the day of this riot, don't you?—A. Yes, sir.

Q. Who was your foreman?—A. Mr. Bendorf.

Q. Is he a white man?—A. Yes, sir.

Q. And a Democrat?—A. Yes, sir.

Q. Prior to this riot had he said anything to you on the subject of keeping off the street?—A. Yes, sir; he had.

Q. Now, tell the committee just what he said.—A. He told me that Danville had got into the worst fix that he ever thought it would be in in the world, and there would be a riot there, but liked us not to get hurt, but could not tell exactly when it was coming on, but he knew it was coming, and be wary of it, and on Saturday—

Q. One moment. Did he say anything as to who would be killed?—A. No, sir; he didn't.

Q. Did he say why he wanted you to avoid being on the street?—A. He said he didn't want any of his hands to get hurt if they could help it. He said they was all good hands and he was sorry to have them hurt.

Q. Were all his hands colored men?—A. Yes, sir; all his hands were colored men.

Q. When did he say this to you last?—A. The last conversation me and him had about the riot was on Saturday morning, and that occurred Saturday.

Q. Where was that?—A. Working on Craghill Creek.

Q. What did he say to you that morning?—A. He told me that the riot was in about at the door, to look out, for he didn't know what minute it would take place, but it might be every day, and to look out.

Another witness stated that before the shooting he went to the store of Mr. Graves, for whom he worked, and gave the following account of what occurred:

Q. For whom were you wagoning prior to this riot in November last?—A. I was wagoning for B. W. Graves.

Q. How long had you worked for him?—A. About two months, I reckon, or three, up to that time.

Q. What was his business?—A. He keeps store there in Danville.

Q. Shortly before this riot did you go to the store?—A. Yes, sir; I was frequently there every day before it, and—

Q. I am inquiring now of the last time you went there before the affair.—A. Yes, sir; I went there, I reckon, it was about fifteen minutes before.

Q. Before the shooting began?—A. Yes, sir.

Q. Where did you go?—A. I went to the back door where I always go with my horse, and I found the door fastened; the store was fastened up.

Q. Had you ever before found it so during the day?—A. Not at that time of day.

Q. What did you then do?—A. I shook the door, and one of the clerks came down; Mr. Williamson, a clerk of the store, opened it, and I asked him, I says, "Mr. Williamson, you are all shutting up very soon. What is the matter?" He says to me, "Well, hell is to pay"; and there would be more dead men directly than I ever saw. That astonished me; I didn't know anything about it, and was not thinking about it.

Q. Did you go into the store?—A. Yes, sir; I went in. He opened the door and I went in and shut the door then behind me.

Q. What did you notice about the condition of things in the store?—A. When I got in the store I found the clerks were in there as usual, and I found the counter full of pistols and guns, and that was an astonishing thing to me; the same kind of pistols they had in the showcase, and the guns was laying out on the counter.

Williamson was called, and in form denied he said this to the witness, but the witness named Mr. Graves, and his clerks, Moore, Pascal, and Shepard, as present, and also said Mr. Burch came in, none of whom were called, and Williamson, on his cross-examination, stated he could not remember what was said.

Another witness was called who was the keeper of a boarding-house in Danville, and most of his boarders were whites. He was asked about a meeting of the executive committee of the Democratic club shortly before the massacre on the 3d of November, and what he heard said. He asked to be excused from answering, as he had to go back there, and his interests were there. On being informed by the chairman that it was his duty to answer, the following is what was stated by him:

The CHAIRMAN. Mr. Reed, it is not in the power of the committee to excuse you from answering any question. You have sworn to tell the truth, the whole truth, and

nothing but the truth, and no power in this country of ours is strong enough or great enough to injure you for telling the truth. The foundation of all our laws, of our courts, of investigations, and of all efforts to promote justice among men depends upon the frank and open answer to proper questions truthfully given, and it is your duty, therefore, to answer, and it is our duty to require answers to all questions that appear to be pertinent to the inquiry; and as a citizen of the United States it is your duty to do so promptly, without any fear or evasion.

Q. Tell it to the best of your recollection. You cannot be expected to do more than that.—A. Well, as far as I recollect (you remember that I didn't say he was a member of the committee) but twelve or fifteen, as far as I recollect. I wouldn't say positively, but I gather from the impression that it would be a matter to make the purpose effective to carry the election next spring; and, as far as I recollect, it must have been Dr. Keen's voice, from my acquaintance with his voice. I only recognized it being his voice—that we must have the town at all hazards, if not now, next spring, at any rate. I can't possibly remember every little technicality. I remember another expression. He said, "We have men enough, if they will only do their duty; but you know the registration is against us"; and of course some little noise between that—

By Mr. LAPHAM:

Q. Was there anything said about violence?—A. I don't say that Dr. Keen said that, but somebody said this: "If we have to take it by violence."

Q. Well, some one said that?—A. Some one said it, but I won't say it was Dr. Keen's voice. I won't say it was his voice, but somebody said it in the middle of his talk. Of course it was a different voice from his, unless he changed his voice.

Q. You understood it to be in answer to what the doctor said?—A. Yes, sir.

Dr. Keen was not called to contradict him.

Another witness stated a conversation he had with Charles Redd as follows:

Q. Do you know Charles Redd?—A. Yes, sir.

Q. Do you remember the day of this riot?—A. Yes, sir; I remember.

Q. Where were you at the time?—A. I was there in front of Mr. Blair's office.

Q. Were you at work that day?—A. No, sir.

Q. What is your business?—A. Carpenter,

Q. Before that time did you hear Redd say anything; where was he employed?—A. He had been down to Mr. Gerst & Wood's store.

Q. He was a clerk there?—A. Yes, sir.

Q. Did you on any occasion hear him say anything about the election to the colored people?—A. Yes, sir.

Q. Tell the committee what he said.—A. He said to me—he never said anything to me before, but he asked me then if I would vote the Conservative ticket. I told him no; I wouldn't vote the Conservative ticket; he told me I needn't be afeared to vote it, for he says, "we are prepared and ready, and waiting to see that you won't be troubled after you vote it." He talked with me some right smart while; that was about all that passed, as near as I can think of it.

Q. Did he say anything about carrying the election?—A. Yes, sir; he stated to me that he was going to carry it if they had to carry it with balls.

Q. That is what I wanted; how long was this before the riot?—A. Two or three weeks.

Q. Did he say balls or bullets?—A. I think, as well as I can remember, he said balls.

Redd was not called to contradict this. Another witness stated that Bendorf, under whom he was working, about twelve o'clock of the day of the massacre, told him this:

Q. Tell the committee what he said.—A. It was about 12 o'clock, as nigh as I can come to it; he ate dinner at our shop right often; had his dinner brought there, especially when he was working close by the shop, and he come up that day, after eating his dinner, and stood in the door a little while and says, "There is going to be the devil to pay here to-day"; just so. He says, "If Sims puts his foot on the ground he would be a dead man." That was on Saturday.

Q. Did he say anything more?—A. I never said anything to him, he walked on and went off to his business; looked very angry.

Q. Did he say anything to you about going out on the streets?—A. Yes; he told us we had better keep off the streets.

Another witness states that on Saturday morning between 9 and 10 o'clock he was warned as follows :

Q. Do you remember a conversation you had with Mr. Young ?—A. Yes, sir.

Q. When was it ?—A. It was about between 9 and 10 o'clock on Saturday morning.

Q. The same day of the riot ?—A. Yes, sir.

Q. Where was it ?—A. Right in front of Mr. Vass's hardware store.

Q. Who is Mr. Young ?—A. A gentleman from Jacksonville, named Wimbush Young, who I was raised with. His father raised me.

Q. A white man ?—A. Yes, sir.

Q. A Democrat ?—A. I think he is; I don't know.

Q. What did he say to you, if anything, there on the street ?—A. Me and a couple of men were talking, and he came by me with saddlebags on his back. He is a horse trader, and he says to me, "Elijah"—told me to come to him, and called me a short distance from the other men standing listening. He says, "You get out of the street, and tell all the boys from Jacksonville to get off the street, for some of you are going to get killed here this evening."

Q. Did he say it in earnest ?—A. I did not think it was in earnest at the time he spoke, but after the thing occurred I think it was in earnest.

Q. He was a friend of yours ?—A. Of course he was; I think a very kind friend.

Q. He was brought up with you ?—A. I lived with his father until I was eight or nine years old.

Young was not called to contradict this. Another witness who was present at the massacre stated as follows :

Q. Where do you live ?—A. In Danville.

Q. How long have you lived there ?—A. I have been there about eleven years.

Q. Where did you live before going there ?—A. I lived in Greensboro', N. C.

Q. Were you a slave ?—A. Yes, sir.

Q. Have you a family ?—A. Yes, sir.

Q. What is your business ?—A. Gas-lighter.

Q. Do you light the streets ?—A. Yes, sir.

Q. How long have you followed that ?—A. It will be two years next month.

Q. That was your business in November last, then ?—A. Yes, sir.

Q. Where were you this day of the firing ?—A. Right there on Main street.

Q. Did you see anybody bringing guns out of Woolfolk & Blair's office ?—A. Yes, sir.

Q. How many did you see ?—A. I saw somewhere about five or six.

Q. What were they ?—A. They looked like these breech-loaders.

Q. Pistols or shot-guns ?—A. These breech-loaders; shot-guns, I reckon.

Q. What did they do with them ?—A. After the people commenced firing there they fetched them out; four or five men came out with them.

Q. What did they do with them out ?—A. I don't know whether they shot or not.

Q. But you saw them come out of the office with the guns in their hands ?—A. Yes, sir.

Q. Was that the office where a gentleman stood with a shot-gun before the firing began ? Was it the same office ?—A. It was Mr. Woolfolk & Blair's office.

Another witness testified to what was said to him by Mr. Seward about the middle of October last, as follows :

Q. Did they say how they were going to beat ?—A. Yes, sir.

Q. How ?—A. They only said they were going to beat by Smith & Wesson. I can't call them.

Q. Revolvers? bull-dog ?—A. No, sir; they aint any bull-dog in this question. Smith & Wesson, double-action, five shooters, and breech-loading shot-guns. I got that the middle of October; that was the first time.

Q. Who did you hear say that ?—A. A man by the name of Seward who got shot on that occasion; I believe he was a butcher, or tangled up in the market house there.

Q. White man or colored man ?—A. A white man. He is the man that told me they were going to carry this town at all hazards, and I asked the question, "How are you to do it if you aint got the votes?" He said, "We are going to carry it, votes or no votes, with double-barrel shot-guns, breech-loading shot-guns," that was it, "and with Smith & Wesson double-actions," and his next reply was to that, saying to me, "and God damn you, we will get you. I will be damned if you aint bound to go."

Mr. Seward is one of the white men who was wounded on the day of the massacre, and he was not called to dispute this. This witness was

so frightened by what occurred Saturday that he kept himself secreted in his house from Saturday night until Monday. He says his house was surrounded on Saturday night by a crowd of men. They called for him, and tried to rattle his door down. He named Dick Lowry as one whom he recognized by his voice. This evidence was not contradicted.

Another witness testified that he was a porter in Jones's drug store; that about two or three weeks before the election a man came in from the railroad. Dr. Temple was there, and the following is his statement:

Q. That is the time I refer to, state what was said, as near as you remember it.—A. The remark was made by Dr. Temple, it was, "I have been always very fond of them, but when they don't behave themselves I am in favor of shooting them down like dogs."

By Mr. VANCE:

Q. Have you given the name of the man who said that?—A. I said that the gentleman who first started the conversation; I cannot remember his name, but that was the remark as well as my memory serves me was made by Dr. Temple.

By Mr. LAPHAM:

Q. What did the gentleman say to Dr. Temple that led to that remark?

By the CHAIRMAN:

Q. Just repeat that remark again.—A. The remark was this, "I have always been very fond of them"—"the negroes," I think he said, I won't be positive whether he said "the negroes" or "them"—he says, "I have always been very fond of them and always been willing to treat them right, but when they interfere I don't think it is wrong to shoot them down like dogs." That is my best recollection of that, as you draw it out of me on oath, and I think that is the way it was.

By Mr. LAPHAM:

Q. I have had to draw it out, but I have got it.—A. That is my best recollection.

Doctor Temple was not called to deny this.

Another witness testified to conversations with B. W. Graves and Mr. R. H. Woolfolk about ten days before the election. His evidence on the subject was as follows:

About ten days or two weeks before the election I was passing B. W. Graves's store, grocery merchant, and he stopped me, and we commenced talking about politics. He wanted to know how I thought the county was going, and he remarked to me that they were going to carry the town; he had no doubt about their carrying the town by a large majority. I told him I thought it would be rather closer than he expected. Then he remarked to me, "Verser, we have always been good friends, and you understand very well why, and I want to give you some advice." He says, "You take the advice of Mr. Frank Marks in your office. He says he never bothers with politics and attends to his own business affairs, and there is going to be trouble here on the day of election, and I would not like to see you hurt." He says, "You take my advice and stay in your room that day."

Q. What is Graves's business?—A. Grocery merchant.

Q. You don't speak of Captain Graves?—A. No, sir.

Q. A relative of his?—A. I think he is a nephew.

Q. Is he a Democrat?—A. He is.

Q. An active politician?—A. I don't know whether he is very active or not.

Q. Did any one else speak to you?—A. I think it was the following day, I was stopped near the Arlington Hotel by Mr. R. H. Woolfolk, who came to me and told me he wanted to see me and talk to me little while. He said there was going to be trouble on election day, and he wanted me to keep off the street. I told him I did not apprehend any danger; that I thought it was all talk for political effect. He says, "I am a friend of yours, and I want to tell you now not to be on the street." He says, "If you will vote, go to the poll early and vote, and then go to the country." He says, "Go, if you have an excuse to go. I don't want you to be on the street on the day of election." He says, "If you are, you will be killed."

Mr. Woolfolk is one of the signers of the Danville circular, and neither he or Mr. Graves was called to contradict this evidence. The witness

also testified to another conversation with Mr. J. B. Westbrook, about a week before the massacre, as follows:

Q. Do you know Mr. Westbrook?—A. I did.

Q. When was that?—A. On Saturday night before the riot; some time the last of October.

Q. Just a week prior?—A. Yes, sir; he met me near the office of Ruffin, Woolfolk & Blair, and told me that the people had made up their mind that time to carry that election; that they could not stand Mahone and the nigger rule any longer, and they wanted me to be on my guard, if I didn't I would be hurt, and that he didn't want to see me hurt as I had always been a good friend of his; and, if you will allow me to add, a week after the election he met me on the street and in company with Mr. Hamlin, who is our commonwealth attorney, he turned to me and said, "Jim, what I told you in regard to that difficulty you see has come to pass. *It only came three days sooner than I expected.*"

Q. What was his position in the party?—A. He is a Democrat.

Q. An active man?—A. I think he is, very.

Neither Westbrook or Hamlin was called to contradict this evidence. As has already been stated, Captain Graves made the same remark, that the riot occurred three days sooner than he expected.

Another witness testified to a conversation he had with Thomas Lea, one of the persons who fired on the blacks on the 3d of November, about a week before the election. His evidence is as follows:

Q. State what he said.—A. He says, "On election day we white people are going to carry this election." He says, "We will either carry the election; if we don't we will kill the last damn nigger before we stop or carry this election."

Q. What then?—A. "And you had better be at home in your house and stay there, and we will protect you."

Lea was not called to contradict this evidence. Another witness testified that on the 30th of October, at a Coalition meeting in Chalk Level, in Pittsylvania County, about 35 miles from Danville, a white Democrat by the name of Jesse Keen came into the meeting and insisted on speaking. Objection was made, but he insisted on doing so, and stated if the colored men did not rally to the polls and vote with the Democrats they would be shot down like dogs and driven off as the Indians were. He also said there was a threat made in Danville that they would carry the election by ballots or balls. Keen did not deny this. Another witness testified that on the 3d of November, between 7 o'clock in the morning and noon of that day, he picked up a printed handbill in the depot in Millsborough, 150 miles from Danville, stating that the black wave had struck Danville, and there had been four colored men and one white man, a leading citizen of Danville, killed. The witness said he was certain it was before noon of the 3d of November that he saw and read the handbill. Another witness testified that about the middle of the week before the election he was at Galego Mills to get some meal. T. C. Hardy, the clerk with whom he transacted the business, asked him if he had heard of the fight or trouble at Danville. Witness replied he had not, and asked what it was about. He said there had been a fight between the colored and whites about some colored women crowding white women off the pavements, and a good many were killed, as he understood. *He said that will draw the color line if nothing else will.* Witness was sure this was before the Danville riot took place. Hardy was not called to contradict this.

Another witness testified that on Friday, November 2d, he had a conversation with a passenger on the train going from Martinsville to Richmond, who informed him he resided at Danville. He told witness that he expected there would be trouble between the whites and colored people at Danville on Saturday, as he had that morning received a telegram to return to Danville on account of that. He also said that

“three signals from the Star warehouse bell would raise a hundred men in arms at any time.” He also said he would not admit Coalitionists into his house or eat with them if he knew it. The witness stated the person with whom he had this conversation was a white man, and got off the train at Danville.

Another witness testified that on the 29th of August he had a talk with General Hill, editor of the Scottsville Courier, in Albemarle County. Hill said to witness he had seen that he had been nominated as a candidate for the lower house in the legislature, and added “We will defeat you this time.”

Witness asked if he meant himself or the party? Hill replied, “No; we will defeat you in the State.” Witness asked him how so? Hill replied, “We have more money than you, and we intend to use it, and we mean to bully where we can’t buy.” It made such an impression that witness made a memorandum of it in his book. Hill was made the sergeant-at-arms of the last Democratic house, but he was not called to disprove this testimony. Another witness testified that he resides in Fairfax County, and that there was a current report on Friday, the 2d of November, that there had been a riot in Danville. The report came by the Midland railroad, and that he did not learn to the contrary until the published account was received on Monday. He said there were several trains coming in on Friday, and all the hands had the report; that there were no colored hands employed on the trains; the hands were all white men. Another witness testified that an exaggerated account of the Danville riot was published in Wythe County, 200 miles from Danville; that it was stated persons were killed on both sides; that it had a marked effect, together with the Danville circular, which was extensively circulated in concentrating the white vote.

During the examination the defense put in evidence a circular to the colored voters of the State, from which we quote as follows:

WHAT HAS THE READJUSTER PARTY DONE?

In answer to this, thank God, we can say that they have done much for Virginia, and in doing this they have not acted for one class of men more than another, but have worked for the benefit of all alike. They found Virginia poor, down-trodden, and oppressed. They have begun to make her strong, independent, and rich. They found her with a debt of over \$31,000,000. They settled that debt, after deducting West Virginia’s share—one-third—upon a fair and honorable basis, at \$21,000,000. They found the whipping-post—a relic of the barbarous ages, the savage state of society—a Funder institution in our State. They wiped it away as the morning sun melts the dew-drops from the grass. They found that a man was compelled to pay \$1 before he could vote, and in many instances he could not find the Democratic tax collector when he wanted to pay this tax to vote, if the collector knew that he was not going to vote his way. And the Readjuster party said that this requirement before voting was wrong, and that a man should be allowed to vote and pay his taxes when he got able. So they wiped away that requirement which in former years, by Democratic manipulations, had disfranchised thousands of colored voters, and they made us free once again.

They found that our lunatics were kept in barracks which had been left as a relic of the war, and now little better than horse stables. So they said this was wrong, and they gave us \$100,000 to build an asylum for the care and protection of our insane, and \$56,000 annually for the support of this institution. They found that there were several colleges in the State for the higher education of white young men and women, supported in whole or in part by State funds, and none for the colored people; so they appropriated \$100,000 for the building of a college for the education of our sons and daughters, and put the management and control of this institution entirely in the hands of colored men, and to-day that institution is open, with a competent corps of colored teachers, and though it has only been open since the first of October, there are now more than one hundred young colored men and women there drinking from the fountain of knowledge, preparing themselves for teachers, lawyers, and doctors, to work among and educate our children for the duties of life.

Another witness testified that he resides in Norfolk and is a passenger conductor; that as his train came in on Sunday morning, the 28th of October, people at the different stations inquired about the Danville riot. It was asserted that there had been a riot and eleven persons had been killed. On the next Sunday, November 4th, witness heard that such a riot had occurred the day before.

Another witness testified that on Saturday morning, the 3d of November, he was at the market in Alexandria, and it was rumored through the market that there had been a riot between the whites and blacks at Danville; that this report was in the forenoon between nine and twelve o'clock, and was talked about by the white people generally in the market.

Another witness testified that he was a postal railway clerk residing at Wytheville, and that on Monday or Tuesday before the riot the telegraph operator, in a conversation with a friend about the canvass, in the presence of witness, said "it was getting very hot—red hot—in Danville; that he heard an order go over the wires that forenoon for eight dozen pistols; that the order was from Danville to a Northern house"; and that the operator who said this was a Democrat.

Another witness testified that he heard Captain Whitehead, editor of the Lynchburg Advance, a Democratic paper, and his associate editor, a lawyer by the name of Marye, address a Democratic meeting at Lynchburg the night before the election. The meeting adopted resolutions, offered by General Early, commending the action of the whites at Danville. The witness stated the speeches were so extraordinary that he wrote down the substance at the time. The following is his account of what each said. Mr. Whitehead said:

We intend to carry this election. We have arranged everything to carry it. News from all over the State indicates that the State will be rescued from the radical Mahone rule. We intend to carry this election if we have to carry it through blood. Woe be unto the judge of election who attempts to bulldoze or attempts to make fraudulent returns; better he had a millstone around his neck and cast into the sea, for his last days will be worse than his first. Perdition will be his portion. Close up your stores to-morrow and devote one day to the rescue of this grand old State from the rule of the traitor Mahone. Watch every white man who comes to vote, and if he votes against us then we will know where to place him, for those who refuse to vote with us are against us, and we must spot every man that is against us, and the work we have to give must be given to those that are with us; vote with us. Those who vote with us are not against us. Watch the people. See that all yours, every friend, whether he be white or black, that wants to vote with us has his interests protected; and if Mahone radical judges of election interfere with you in the discharge of your sacred duty strike hard from the right shoulder. Vote your men. It matters not what the consequences may be, for we must, we will, we shall carry the election, cost what it may, and rescue the grand old State from this diabolical rule of the arch-traitor Mahone and his black Republican allies.

There was no evidence given to show that Senator Mahone had ever by word or act attempted to raise the race issue. As we have already stated, there was no motive on the part of the Coalitionists to resort to it, but the contrary was their true policy.

Mr. Marye said:

We are now on the eve of the most important election that was ever held in Virginia. These are exciting times. We must rescue the State from Mahone Radical rule and place it once more in the hands of the best people (the white people). We commend the white people of Danville for their course in their late unpleasantness. It was a desperate case and required a desperate remedy to subdue Mahone-Radicalism in the fair town of Danville, our sister city. If a row occurs here to-morrow, and I am sorry to say it may occur at any time, don't shoot the poor negroes, as was done in Danville, but commence at the office-holders first and kill down; kill every devil of them, for they will be the instigators of the row if one does occur. We have nine-tenths of the intelligence, nine-tenths of the wealth, nine-tenths of the religion—yes,

all the religion, for whoever saw a Radical Mahonite inside of a church? They are all a mean set of scoundrels. There is neither honesty nor principle inside of their party. We don't intend that they shall rule Virginia. We intend to rule Virginia from this vile horde of Mahone Radicals. It matters not what it may cost. The election is ours, and as sure as the sun goes down on to-morrow night you will see, my friends, that Virginia will be redeemed by the best people (the white people). We intend to rule Virginia, it matters not what it may cost, or what sacrifice we may have to make, we intend to rule.

Mr. Whitehead had been a member of Congress, and is a Methodist exhorter, and Mr. Marye is an elder in the Presbyterian Church.

The witness testified that while Mr. Mayre was closing his speech the colored band of Lynchburg came up the street playing. The whites said the Coalitionists are coming to break up our meeting. This order was given: "Gentlemen, all form into line and protect yourselves." The Democrats formed into line, and a great many pistols were drawn. Some one then said: "These men are not against us; they are with us; for God's sake, don't have any riot." Then it was all over. This was after the speeches repeated by the witness had been made.

The foregoing is the substance of what was proven, going to show the preparations which were made for the massacre which took place at Danville on the 3d of November, and the expectation throughout nearly the whole State that such a conflict was contemplated. We submit, it is shown very conclusively that the Democrats had planned a resort to such violence in order to raise the race issue and lay the foundation for an appeal to white men to throw off their allegiance to the Coalition party and to stand with the whites in the contest then pending, while at the same time alarming the blacks in order to deter them from voting. It will be seen that in nearly every instance the names of persons were given by the witnesses, so that ample opportunity was afforded to disprove the facts stated. No attempt was made to do so, and the proof on the subject should be regarded as entirely reliable and not open to criticism.

HOW THE DEMOCRATS MADE USE OF THE OCCURRENCES AT DANVILLE.

In almost every part of the State exaggerated reports of the massacre were circulated by telegrams and printed circulars. A witness testified that on Monday before the election he heard a Democrat by the name of McKinny, in Pulaski County, over a hundred miles from Danville, declare that the white men were wading in blood in the city of Danville to assert their rights. At a jollification meeting in Waynesboro', where the Ruffin circular was published, Mr. Opie, a Democratic member-elect to the legislature, in the course of his speech said, "He thanked God from the bottom of his heart for the Danville riot; that it was God's blessing in disguise." The news of the massacre reached Lynchburg the same afternoon that it occurred. The Democrats were exultant, and received the news in a spirit of rejoicing. They said, "That secured the State to the Democrats." The reports were exaggerated that from five to eight persons and one white man were killed. The telegrams were posted on the bulletins. At a Democratic meeting held in Lynchburg on Monday after the massacre the following resolutions were passed:

Resolved, That we heartily sympathize with our fellow-citizens of Danville in their struggle against the domination of the negro race under the lead of renegade white men, whose hearts are blacker than the skins of their unfortunate dupes, and we assure our fellow-citizens of the white race not only of our sympathy with them in their present struggle, but of our *material and physical support* whenever that becomes necessary.

Resolved, That Virginia is, and of right ought to be, a white man's country and

ruled by white men, and we are determined that our mother State shall not be ruled by thieves, and liars, and cowards with white faces by the aid of their allies, the colored people.

The following was published Saturday night and widely circulated on Sunday, November 4, in Southwestern Virginia :

A MASS-MEETING IN DANVILLE.—COALITION RULE IN DANVILLE CONFIRMED.—HEAR WHAT THE PEOPLE SAY!

The following telegram, received by the chairman of the Democratic county committee of Roanoke County, confirms the "Danville Circular":

"A large and enthusiastic mass-meeting of the Democrats of Danville was held Saturday, November 3d, 3 o'clock p. m. The following resolution was unanimously adopted:

"We, the undersigned residents of the town of Danville, have examined the circular entitled 'Coalition Rule in Danville,' sent to the valley and southwest Virginia, and signed by our fellow-citizen, W. T. Clark, and others, and we certify that it contains a substantial and true statement of the condition of things in the town for the last eighteen months, the assertions of the Richmond Whig and our Coalition judge and mayor to the contrary notwithstanding.

"GEO. C. CABELL,
"President of Mass-Meeting."

In Culpeper County, 175 miles from Danville, circulars were distributed saying that a good many white people were killed at Danville. On Sunday evening, November 4, the following resolutions were adopted at a Democratic meeting in Richmond, and republished in an extra of the Enterprise, a Democratic paper published at Wytheville, on the 5th of November:

ENTERPRISE—EXTRA.

WYTHEVILLE, VA., Monday, Nov. 5, 1883.

THE BLOODY NEGRO RIOT IN DANVILLE.—AN IMMENSE MASS-MEETING IN RICHMOND, HELD SUNDAY EVENING.—MAHONE RESPONSIBLE FOR BLOODSHED.—WHITE MEN OF VIRGINIA URGED TO BE TRUE TO THEIR OWN RACE IN THE RACE CONFLICT WHICH MAHONE HAS BROUGHT ABOUT.

[Special telegram to the Enterprise.]

RICHMOND, VA., Nov. 4, 1883.

EDITORS ENTERPRISE,
Wytheville, Va.:

This (Sunday) evening an enormous mass-meeting of white citizens was held in Armory Hall. Col. John B. Purcell was called to the chair, and stated the object of the meeting to be simply to express sympathy for the white people of Danville.

The following preamble and resolutions were unananimously adopted:

Whereas reliable information did reach this city on Saturday night that a conflict between the white and black races took place at Danville yesterday, the result, as we believe, of a conspiracy to force the race issue upon the white people in the present political canvass; and

Whereas the white citizens of Danville did lately address an appeal to their race in certain portions of Virginia, setting forth the grievances under which they labor in consequence of this conspiracy; and

Whereas the veracity of that address has been questioned by Gen'l Wm. Mahone in a card lately published in the Richmond Whig:

Therefore, be it—

Resolved by the citizens of Richmond, in mass-meeting assembled:

First. That in the conflict which took place in Danville on yesterday the white men of this city sympathize fully and cordially with their own race.

Second. That they have the fullest confidence in the truthfulness of the address written, signed, and circulated by certain leading citizens of Danville, with all of whom one or more of us are personally well acquainted.

Third. That whenever or wherever this conflict shall take place in Virginia, all

white men are *affectionately, earnestly, and solemnly entreated* to take the part of their own race.

Fourth. That the whole history of Virginia, up to and including the present time, shows that they have never raised the race issue, but that in every case it has been forced upon the white men against their protest and in effectual form.

Fifth. That in this particular canvass the race issue has been deliberately forced upon the white men, and its irritations *planned and sedulously cultivated* by WILLIAM MAHONE and his conspirators for their own selfish ends, and that upon *their heads must rest all the responsibility for blood that may be shed or spilled* by men who are driven to the conflict in the interest of civilization.

W. D. CHESTERMAN.

MORE PROOF.

The following telegram was received this (Monday) morning by Mr. T. N. Perkinson, a well-known Readjuster in this place, from a friend in Danville :

DANVILLE, VA.,
Monday morning, Nov. 5, 1883.

To T. N. PERKINSON,
Wytheville, Va. :

If you only knew our suffering here on account of negro rule you would vote different. We are standing in our doors with guns protecting our families. Post this up at the court-house door.

P. N. ROBERTSON.

In regard to the author of this telegram, Mr. Perkinson testifies as follows :

WYTHEVILLE, VA., Nov. 5, 1883.

I am well acquainted with P. N. Robertson ; have known him from his boyhood. He is as respectable a citizen as there is in Danville, and, as far as I know, has always been a truthful man.

T. N. PERKINSON.

In accordance with Mr. Robertson's request, the original telegram has been posted at the court-house door, where it can be seen and read.

Perkinson was not called to disprove this. It will be seen that the telegram to the News by Colonel Cabell wholly omits any reference to the massacre, which had taken place, during the meeting to which he alludes.

In another locality it was shown there was a report that from one hundred to one hundred and fifty persons were killed at Danville. The Hon. John S. Wise, in his testimony, states that appeals like the one sent by Mr. Robertson to Perkinson, and before referred to, were printed and sent all over the State in the southwest where the coalition strength, amongst the whites, was the greatest. They were distributed by riders and Democratic clubs. He produced a copy, which is as follows :

DANVILLE, November 5, 1883.

For God's sake help us with your votes to-morrow. We are standing in our doors, shot-gun in hand, *trying to protect our families*.

See these precious morsels from the "high morality dish" (Lynchburg News' supplement), cooked by the Democratic State committee of Virginia, on Sunday, the 4th, and served to the people of Southwest Virginia on Monday, the 5th day of November, 1883 :

"RIOT IN DANVILLE.

"Mahoneism has worked out its legitimate result in Danville. Riot and bloodshed have come to pass. Inflamed and crazed by the diabolical speeches which have been addressed to them by the Mahone nihilists, *the negroes have precipitated the bloody issue*. * * * But how can those be fittingly characterized who have brought about this hellish business? * * * The horrors of the inquisition would be too good for them. * * * Let the incendiary devils be crushed beyond the hope of resurrection.

* * * People of the valley and the southwest, the east calls upon you to come to its rescue; to help beat back the black wave which threatens to roll over it. * * * Arouse ye, and to the polls!"

What, then, it is pertinent to inquire, was the condition of affairs in the city of Danville after the massacre and at the time these telegrams and reports were sent out? The Democrats came from the opera-house shouting and hallooing as they ran. They kept it up on their way up Main Street until they reached the Arlington Hotel. They yelled in exultation, "Hurrah for us Democrats." The signal bell for the people to fly to arms was sounded. The ringleaders in the massacre were placed on guard to patrol the city, as the mayor states, without his authority and without being sworn. Every white Democrat, and even boys, were armed, some with guns, others with pistols, and still others with bowie-knives. The white mob ruled the town.

When Colonel Sims returned late Saturday night the house at which he stopped was surrounded by one hundred and fifty or two hundred armed men. The negroes fled in terror from the city and to their houses. None of them were on the streets. Lawson went to Boston and Lewellyn to New York or Brooklyn, and have since remained away from Danville. The authority of the mayor was defied. He says he was warned several days before the massacre by Democrats, who were friendly to him, to keep off the streets. He testified that when his little girl notified him they were firing he went down to the scene, and white Democrats were running up and down the street with guns, pistols, and bowie knives. He was obliged to order the Douglass Guards, a colored company, not to come out. He sent the chief of police, Mr. Hall, to order out the white company, and when he returned Colonel Cabell said to him, "Young man, make yourself small; I have just kept a crowd from mobbing you." The mayor testified that after he was advised to keep off the streets, from what he heard and what came to him officially, he feared there would be trouble on the day of the election, and had selected fifty extra policemen and notified them to come on Monday. He had also notified the captains of both military companies that he feared trouble. The violence came before he expected it. He states that there were from two hundred and fifty to three hundred armed. They circulated all over the town and in the highways leading to the town Saturday night, and he thinks there were five hundred in arms on Sunday. Most of them had new arms. He says he did not see a colored man armed between the massacre and the election, and if one had appeared on the street he would have been riddled with bullets. He stated that when something was said about calling out the colored troops a man said: "If that damned company comes out we will kill the last one of them." He says appeals were frequently made to him by citizens to get the armed men off the streets, but he was powerless. His authority was defied. When he and Judge Blackwell were walking over the town to learn more about the situation, they were arrested by a squad of armed white men. He telegraphed to Governor Cameron for troops, as he had no force to suppress the prevailing violence. The telegrams he sent were as follows:

DANVILLE, VA., *November 3, 1883.*

To Gov. W. E. CAMERON:

Your telegram received. A riot occurred here this afternoon; three negroes killed, two white men and four negroes wounded; the military are on duty, and quiet for the present prevails. I, however, fear another outbreak before the election is over, and hope that you will send me a company of troops as speedily as possible. Our people are so excited that I do not think that they can be safely depended on to preserve order and keep down the riot.

J. H. JOHNSTON.

DANVILLE, VA., MAYOR'S OFFICE,
November 4, 1883.

To Gov. W. E. CAMERON :

I need additional troops here to keep the peace and conduct a fair election. Citizens here are terrorizing the election under the pretense of patrolling the streets, and the roads running beyond corporate limits. I have not a force of sufficient strength to repress this disorder. The same spirit that caused the riot of yesterday prevails in unabated force, and in case of another outbreak I think that the majority of the troops here will fraternize with the riot. The election on Tuesday will be a mere farce unless the electors be assured of protection at the polls by foreign troops.

J. H. JOHNSTON.

This condition of things continued through Sunday night, and it was not until Monday, the 5th of November, that order was so far restored as to enable him to issue his proclamation placing the city under a guard of chiefs and special constables in each ward. Mr. Robinson, a white man, who had been a magistrate, but who had resigned, and a person of undoubted courage, from the account he gave, was called as a witness, and testified as follows :

Q. I will ask you whether there was any feeling among the Coalition voters, or any portion of them, as to their safety in voting at the last election, as far as you could learn.—A. I was appointed a judge of election after that riot and I declined to act. I knew something then of the feelings of the whites, what they told me, and I knew my own feelings about it.

Q. Well, did you decline?—A. Yes, sir; I told Judge Blackwell the evening before that he had better appoint somebody in my place.

Q. State your reasons for not acting as a judge.—A. One of the reasons was that I saw by the Danville papers and by the Richmond papers that the bitterness and excitement was so great against any white man who belonged to that party that it would not suit me to act. I might get in a difficulty and kill or be killed. And on November 5, the eve of the election, I read a piece in the Danville Register, a communication, I think it was, in which it went on to say, among other things, that if any disturbance occurred at the polls that day, or something of that sort—I cannot recollect the exact words, I suppose the paper can be had—if any disturbance occurred on that day, they hoped that no innocent man would suffer, but that the blood of the leaders should be shed—something of that sort.

Q. And you were looked upon as somewhat of a leader?—A. I was looked upon as somewhat of a leader. I don't know why. I never wanted any office and don't want any. I resigned the one I had, but they said there that I was the only man that ever did resign.

He also stated on cross-examination :

By Mr. VANCE :

Q. On the day of election did you go to the polls?—A. No, sir; I did not.

Q. You did not vote?—A. No, sir; I did not vote.

Q. Well, I presume you did not vote because you were afraid to go to the polls?—A. I was not afraid, but I knew there was extreme danger.

Other white men refused to act as judges at the election for the same reasons. The evidence shows that armed men from Danville went to the polling places in surrounding precincts in considerable numbers. Forty or fifty are shown to have visited one precinct; most of them were armed.

When the negroes were urged to vote they said, "We are afraid to undertake it; if we vote our strength no doubt they will shoot us. Just look at the crowd from Danville who don't vote here." This was said to Mr. Corbin, a prominent Democrat, and he was not called to disprove it.

Captain Graves was one who was there. The result was that out of about twelve hundred colored men registered in Danville less than thirty voted. They had registered and intended to vote, but all who were called testified that *they were afraid to do so*. A circular was is-

sued advising them it would be safe to attend the election, but it was not reassuring to them, and they feared it was done to entrap them.

The evidence, which is uncontradicted, shows that the counties where the white Coalitionists were the strongest are in the southwest and valley of Virginia. A great change in this vote was caused by these appeals to race prejudice and reports of violence on the part of the negroes in Danville. One witness stated that in the county in which the city of Lynchburg is situated there was a change of 800 votes. In nearly all the counties where the whites are in a majority a change in the results was shown to have taken place.

It was claimed during the examination by Senator Vance that the Democrats and Coalitionists polled more votes last year than in previous elections, and that fact furnished an answer to the charge that these causes had any influence over the election. This is easily answered. As stated, this was the first time since the Coalition party was organized when suffrage was free from restrictions.

One witness gave it as his opinion that the capitation tax and whipping-post tax disfranchised nearly 50 per cent. of the colored voters in the State. It also doubtless kept more or less of the poor whites from voting, but not so many, as three white partisans would pay the taxes of those unable to pay them. The relative increase in the vote for the Democratic ticket was so great as to leave no doubt of a return of white Coalitionists to their former political associations.

Much was said during the investigation about the solidity of the colored vote in the State. It was well accounted for by a witness who gave the following testimony :

By Mr. VANCE :

Q. Now, taking politics, which are bad enough at best, according to the usual custom of parties, was there any harm in the white men trying to unite their race when they saw the other was united?—A. I do not think there was, if you use legitimate means.

Q. There was certainly no harm in going to a white man and saying, "Now, you see the negroes are all solid one way, why cannot we be"?—A. I cannot answer that question by saying yes or no. I will say this, in answer to your question, that if the negroes were banded together in opposition to the whites *per se*, because the people were white, then I believe the whites would be justifiable in banding together against the negroes because they were negroes, but I do not think—

Q. But one race represented a party?

Mr. LAPHAM. Let him finish, please.

The WITNESS. I say I do not think that the solidity of the negro race is against the white people because they are white.

By Mr. VANCE :

Q. But it is because they are Democrats?—A. I think it is because they are in Virginia. You must allow me to speak in Virginia. I think that in Virginia, certainly, it is because, first, of the opposition to the enfranchisement of the colored men—probably, first, the opposition to his freedom, because the white people did not want him free; in the second place, because they had nothing to do with freeing him; in the third place, because the white people were opposed to the enfranchisement of the negro; in the fourth place, they attempted, by means of the capitation tax as a prerequisite for voting, to take from the negroes the powers and facilities for voting; in the next place, because they regarded—I think they regarded—the whipping-post as aimed at the colored people because they were colored, and it would disfranchise them. I mention those as the reasons why I think the colored people were disposed to be solid against what they regarded as the Democratic party.

Mr. Dezendorf, who was called by the defense, stated that nine hundred and ninety-nine out of every thousand colored men, if let alone, would vote the Republican ticket. The object of the Democrats in these efforts to raise the race issue to alarm the blacks and to excite the whites was twofold:

First. To intimidate the colored voters in localities where they were strong, as in Danville.

Second. But chiefly to produce such a frenzy of feeling in the State as would induce the white electors to join with their own race and escape the contumely and reproach to which they would otherwise be subjected for fraternizing politically with "*niggers*." The efforts which were made to gloss over this terrible outrage by the committee of forty need only a moment's notice. It was done upon *ex-parte* affidavits taken before a magistrate. They were wholly extra-judicial, and no one incurred responsibility for his statements. The real facts were not called out. It was a partisan effort to screen the perpetrators of the wrong from punishment. The report of the grand jury is equally open to criticism. Three at least of its members were on the committee of forty. The published report of that committee was before them and used by them. There were only seven members, and the foreman was one of the committee of forty. One was a colored man, who was examined as a witness by the committee. He stated that a great many names of witnesses were given them, but they did not consider it necessary to examine them; that he did not think they would get at the truth, and that the published statement that the "negroes advanced upon the whites with drawn pistols" was not read to him, and he thinks it must be the mistake of the printer, as there was no such evidence before the jury.

The transgressions of the law at Copiah are clothed at least with the merit of a frank avowal on the part of those concerned of the purposes they had in view.

Not so in reference to Danville. The guilty authors and instigators of the violence resorted to there, and the murder of four unoffending colored men and the wounding of many others, seek to cover up and conceal their deliberate purposes, and to have it appear they acted only in self-defense. The evidence is entirely satisfactory—indeed, it is overwhelming—that it was the consummation of a deliberate purpose for which they had fully prepared. Hence the effort to magnify and distort the character of the collision, and to make it appear not only that the blacks were the offenders, but also that the whites were "standing in their doors with guns in hand to protect their families" against the violence of a negro mob, when, in truth, the white Democrats were the mob in possession of the town, and no negro dared to make his appearance on the streets. The occurrence was one which caused rejoicing instead of regret, as we have shown.

No one has been arrested, indicted, tried, or punished for the crimes committed on the 3d of November.

How Noel, Lea, and Taylor could escape punishment upon their own confessions, it is difficult to determine. But in view of the recent acquittal of Wheeler for the murder of Matthews, as set forth in the report of this committee already made, no punishment will probably ever be inflicted upon the perpetrators of this foul wrong at Danville. There should be found some remedy for such a state of affairs as this investigation discloses. The Constitution of the United States provides that when the right to vote is denied or in any way abridged in any State the basis of representation shall be reduced accordingly.

While these resorts to terrorism and violence are kept up from year to year and the party in the ascendancy instead of providing laws to prevent their recurrence or punishing the offenders, enacts measures designed to throw obstacles in the way of a free ballot and enjoys the benefits, politically, which are the necessary consequences, the States where it occurs should be held responsible for the results.

An individual would justly be adjudged liable in reaping a similar advantage under like circumstances and by like means. The rule should equally apply to the State for its action or its failure to act, in order to redress such grievances and punish such offenses.

Your committee, in the preliminary statements and closing recommendations of the report upon the murders in Mississippi, have stated their views upon the subject of the constitutional provisions designed to protect the ballots; upon the methods by which suffrage may be abridged; upon the duty of Congress in the premises, and as to the remedies they propose, which it is not necessary here to repeat, but which are reaffirmed and adopted as part of this report.

E. G. LAPHAM,
JOHN SHERMAN,
GEO. F. HOAR,
ANGUS CAMERON.
WILLIAM P. FRYE.

APPENDIX.

The witness, George Adams, who, from the statement in the public press, was recently cruelly beaten by four white men, of whom George A. Lea was one, among other things testified as follows. It will be remembered Lea fired the first shot at Adams on the day of the massacre.

Q. Were you ever called before the grand jury?—A. No, sir.

Q. Is this the first time you have testified?—A. Yes, sir; the first time.

Q. Your being there was well known to everybody, was it not; that you were there and saw the riot?—A. Yes, sir.

Q. I will ask you why you did not obey the subpoena of this committee and come last week when you were summoned?—A. The reason is that I came to the depot about two hours before the train came and I was in the room and locked the door; there was an old man in there asleep and I waked him. I asked him if I could lock the door; he said he had no objection, the key was in the door, and in about half an hour before train time Freeman came down and shook the door quietly, but it was some time before I would let him in. I thought somebody was coming there. People told me that I had better look out; if I was going away somebody might hurt me, but he kept on till I opened the door. He said, "Which way are you going, George?" I said, "I am going to Washington; I was summoned there." He said, "Have you got any whisky?" I told him, "No; I didn't have any;" and he felt all around me, just so [indicating], and he found I didn't have any, and he stepped back and touched Mr. Lea and Hatcher and Dr. Temple and pointed then to me. They all came in and they said, "What in hell do you know about that row?" I said, "Well, I saw it all, and I was summoned down there." They said, "Well, you better know but damn little when you get down there."

Q. Who told you that?—A. Mr. Freeman, and I was mighty scared. I came outside and they watched me and Mr. Lea—I would have come if he had not looked at me so vengeful. He come up and looked like he would jump right through me. I would not mind Freeman, I had known him fifteen years; but Mr. Lea looked like he would jump right through me. He didn't say anything to me. Mr. Barksdale came in, and I said I didn't believe I would go on that train, and he asked me why? and I told him about it and that they asked for whisky, and searched for a pistol or anything. He said, "Come on, they are not going to bother you." "Yes," I said, "I think they will bother me." He said, "Here are \$7, and come on to-morrow; if you are not a mind to come on to-morrow, wait until I come again. I will be here before the last of the week, and you come on with me. I will have other colored men and then you can go with them, and do not be afraid."

Telegram from Judge Blackwell to Hon. John Paul in relation to the Danville circular:

DANVILLE, Nov. 1, 1883.

Hon. D. S. LEWIS or Hon. JNO. PAUL:

I have to-day seen for the first time the circular headed "Coalition rule in Danville," and addressed to the people in the southwest and valley of Virginia. I have read this circular with mingled feelings of astonishment, sorrow, and indignation—astonishment and sorrow at seeing the names of some persons of known integrity and truth (if their signatures be not false) affixed to a document containing so much falsehood, and these elements so ingeniously commingled together that entire false impression is left upon the reader; and indignation that any class of men, however morally depraved by nature or education, or however blinded by prejudice and passion, should be so far lost to ordinary reason and common sense as to indorse a paper which has been evidently prepared for a political purpose by some one who is regardless of truth.

I am free to say that I am perhaps as well acquainted with the behavior and conduct of the people of this town as any citizen in it, and I believe the great majority of the statements made in said circular are utterly false and without any foundation in fact. Indeed, I have been able to find but two statements which are true, and these are in reference to the removal of two justices of the peace.

You are at liberty to use this telegram as you think proper.

JOHN D. BLACKWELL.

Proclamation of Mayor Johnston on Monday after the massacre.

PROCLAMATION.

MAYOR'S OFFICE,
Danville, Va., Nov. 5, 1883.

To the people of Danville:

All good citizens deprecate the present disturbed condition of our town, and earnestly desire the restoration of peace and good order. For the promotion of their so proper wishes I have appointed eleven special constables in each ward, who will be under the command of chiefs, as follows: In the First ward, Capt. Harry Wooding; in the Second ward, J. M. Covington; in the Third ward, P. H. Boisseau. The special constables in each ward have been appointed upon the recommendation of their respective chiefs, and are all reliable men. And I have also called into service the Danville Grays as the military coadjutors of this special constabulary. This arrangement will go into effect this day (Monday) at 10 o'clock a. m.

So complete and reliable is this arrangement for the preservation of peace and the protection of the town, that I feel fully warranted in assuring my fellow-citizens that peace and good order will be maintained, and I therefore call upon all good citizens to resume their usual avocations; to cease appearing upon the streets armed with shot-guns or other weapons; and thus, and by quiet conduct and conversation—"the things which make for peace"—aid and assist me and the other authorities of the town in restoring peace and good order, as all good citizens should do.

J. H. JOHNSTON, Mayor.

The mayor's notice to the public as to complaints of the conduct of colored policemen.

[Register, July 20.]

PUBLIC NOTICE.

MAYOR'S OFFICE, DANVILLE, July 20, 1883.

Frequent complaints are made to me by citizens, white and colored, of alleged evils from which they have suffered at the hands of policemen and others in authority in this town, and I have invariably given these complaints a prompt investigation with intent to redress, to the extent of the mayor's powers, the evils complained of. But these complaints are nearly always informal, vague, and indefinite; or if not so have been found not susceptible of proof upon the evidence adduced, and were consequently not sustained.

It is my desire and purpose to discharge, to the full extent of the law and my ability, the duties of the office which the people of Danville have conferred upon me, and, to that end, I hereby invite and request every citizen, white and colored, who feels himself aggrieved by the conduct of any official, over whom the charter and ordinances of the town give the mayor supervision, to present their complaints to me at my office in a formal and definite manner, together with the evidence to sustain their charges; and I hereby warn every such official that whenever such charges are sustained, he will be dealt with to the full extent of the law in each such case.

Very respectfully,

J. H. JOHNSTON.

Q. Were there any complaints made after this notice?—A. Not one.

Q. Was this published in a Democratic paper?—A. Yes, sir; that is a Democratic paper. It is a Conservative paper.

Extra of the Staunton Vindicator, a Democratic paper published in Southwestern Virginia.

STAUNTON VINDICATOR—EXTRA.

FATAL RIOT IN DANVILLE—THREE NEGROES KILLED—TWO WHITE MEN MORTALLY WOUNDED.

[Special telegram to the Staunton Vindicator.]

DANVILLE, VA., Sunday, Nov. 4—1 a. m.

Yesterday afternoon the white people of Danville held a mass meeting to indorse the statements in the Danville circular, and to denounce the statements of the Coalition mayor contradicting them.

While the meeting was in session a crowd of negroes gathered in front of the build-

ing, some of them jeering the Democrats who were passing in. Presently a negro and a highly respectable young white man had a difficulty on the street. A large crowd of negroes gathered around the scene. The negro was severely punished by the white man, and several negroes in the crowd then drew pistols and dared the white men, who had also gathered around the scene, to come on.

One of the negroes fired a pistol at a group of five white men, and thereupon a fusilade of fire-arms ensued, in which about one hundred shots were fired. The negroes scattered in every direction and the white men held the ground.

Three negroes were killed and two were wounded, one of whom will probably die.

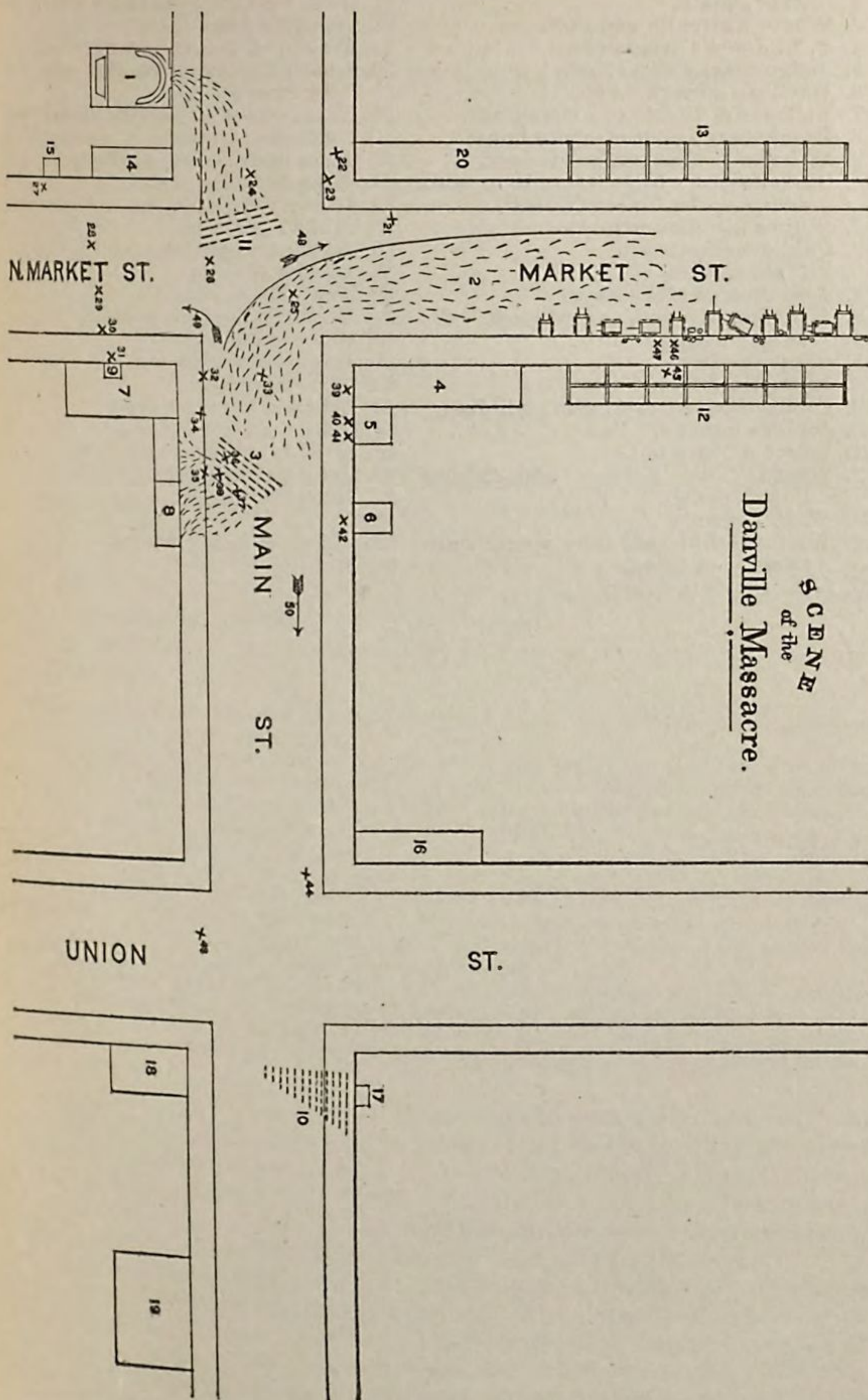
Among the white men shot was Mr. Walter H. Holland, who is dangerously wounded in the head, and it is feared mortally. He is one of the most promising young men of Danville, and his sad fate has cast a gloom over the community. He is a son of C. G. Holland, chairman of the Democratic Congressional committee of this district, and one of the wealthiest citizens of Danville.

Mr. J. B. Seward, another of the white men, was shot through the body, and will probably die.

All is quiet at the date of this telegram.

DANVILLE REGISTER.

The following diagram and index were put in evidence by the chairman of the committee:



Index to diagram of Danville massacre.

- | | |
|--|---|
| 1. Opera house. | 26. A. H. Blount's position. |
| 2. Market square. | 27. J. J. Verser's room and window. |
| 3. Where whites formed first. | 28. George Adams's position. |
| 4. P. R. Jones's drug store. | 29. Wagon of Charles Adams. |
| 5. Judge Blackwell's office. | 30. Charles Adams's position when shot by Graves. |
| 6. Hamlin's grocery store. | 31. W. P. Graves's position when he shot Charles Adams. |
| 7. Nicholas & Hessberg's restaurant. | 32. Peter Smith's first position. |
| 8. People coming out of opera house. | 33. Walters Holland shot. |
| 9. Nicholas & Hessberg's side door. | 34. G. W. West's position. |
| 10. Gathering of whites where they were addressed by Co'onel Cabell. | 35. Miller's position. |
| 11. Whites firing on negroes. | 36. Hatcher's position. |
| 12. Public market stalls. | 37. Booth's position. |
| 13. Private market. | 38. Friend's position. |
| 14. Averett & White's store. | 39. W. H. Barksdale's position. |
| 15. J. J. Verser's room and window. | 40. Blackwell's position. |
| 16. Wiseman's drug store. | 41. Dugger's position. |
| 17. Old post-office. | 42. Terry's position. |
| 18. Arlington Hotel. | 43. Where a negro fell dead. |
| 19. United States Government building. | 44. Where a negro fell dead. |
| 20. Joplin's hardware store. | 45. L. L. Ivey's second position. |
| 21. Where a negro fell dead. | 46. Jack Redd's position. |
| 22. Where Violet Keeling and Sophie Powell stood. | 47. Reagan's position. |
| 23. W. P. Brown's. | 48.) |
| 24. Whites rushing out from opera house to scene of firing. | 49. } Lines of fleeing negroes. |
| 25. L. L. Ivey's position. | 50. } |

IN THE SENATE OF THE UNITED STATES.

JUNE 9, 1884.—Ordered to be printed.

Mr. VANCE, from the Committee on Privileges and Elections, submitted the following

VIEWS OF THE MINORITY ON THE DANVILLE RIOT:

The undersigned, constituting the minority of the Committee on Privileges and Elections, being unable to concur with the majority either in their view of the Constitutional duties of the Government or with their statement of facts as elicited from the testimony concerning the affair of Danville, Va., have deemed it proper to set forth their own views and conclusions in relation thereto.

In the resolution directing the inquiry to be made occurs the following preamble:

Whereas a *general election* was to occur, and did occur, in the State of Virginia on the 6th day of November, 1883; and

Whereas, it is alleged and currently reported in the public press that on or about the 3d day of November, 1883, at Danville, in said State, a large number of *peaceable citizens* of the United States and of said State were *violently assailed by an organized body of men* and fired upon, and several of them killed, by *said armed men conspiring to affect, and with the purpose of affecting, the result of said election* so about to occur, by creating, by means of such *unlawful violence* and homicide, a state of alarm on the part of peaceable citizens throughout said State, which should induce them *to refrain from voting* or to *vote differently* from their previous intentions at said election; and

Whereas it is alleged that all the victims of said attack were of one race and of one political party, and all their assailants of another; and

Whereas it is alleged that *the authorities of said State of Virginia* have not brought any of the persons connected with said alleged conspiracies, violence, and homicides before the courts of justice for examination or trial, *whereby the equal rights of citizenship and the equal protection of the laws* have not been *secured* to all the people of said State; and—

Now, any lawyer with an honest disposition to ascertain the truth will see that taking all the facts to be as asserted in these whereases, the Congress is clearly not authorized by the Constitution to interfere, but would conclude at once that it was a matter of purely State concern. The “general election” referred to, was one for the selection exclusively of State officers, which fact the “whereas” unfairly omits to state. Nor is it anywhere stated that the act of firing upon a number of citizens in the streets of Danville—State of Virginia—was done by the authority of any State law in contravention of the Constitution, by the neglect of the State to pass any law in furtherance of the objects of the Constitution, or by the aid, connivance, or neglect of any officer or official of the State of Virginia, but was wholly and entirely done in violation of her laws, and in contempt of her authority as any other killing or breach of the peace committed within her borders. It was to all intents and pur-

poses, an offense committed against the peace and dignity of the State of Virginia, and against no other jurisdiction whatsoever.

The allegation in a further "whereas," that the authorities of the State of Virginia have not brought any of the offenders before the courts of justice, though not at all material in considering the question of the Constitutionality of this inquiry, must also be noticed, because it is positively untrue, and because it omits to state with a view, no doubt, to deceive, that the said authorities, from the governor of the State to the corporation scavenger of Danville, belonged to the same political party which is responsible for this resolution, and in whose behalf this inquiry has been conducted.

The first section of the fourteenth amendment declares—

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The first section of the fifteenth amendment says—

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State, on account of race, color, or previous condition of servitude.

Unless the authority to interfere in the domestic matters of the State of Virginia be found in these two clauses, there is none.

It would seem impossible to mistake the meaning of the words quoted even without the aid of judicial interpretation; but that interpretation we have positive and unequivocal. The very latest exposition is that found in the almost unanimous decision of the Supreme Court in the civil rights cases, 109 U. S., which is but the more explicit confirmation of a series of decisions upon these amendments to the Constitution, all leading up to the same conclusion. On page 11 the court, after quoting the fourteenth amendment, says:

It is *State* action of a particular character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment.

Again, on p. 17, the court say:

In this connection, it is proper to state that civil rights, such as are guaranteed by the Constitution against State aggression cannot be impaired by the wrongful act of individuals unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings. The wrongful act of an individual, unsupported by any such authority, is simply a private wrong or a crime of that individual; an invasion of the rights of the injured party, it is true, whether they effect his person, his property, or his reputation; but if not sanctioned in some way by the State or not done under State authority, his rights remain in full force; and may presumably be vindicated by resort to the laws of the State for redress. An individual cannot deprive a man of his right to vote, to hold property, to buy and sell, to sue in the courts, or to be a witness or a juror; he may by force or fraud interfere with the enjoyment of the right in a particular case; he may commit an assault against the person, or commit murder, or use ruffian violence at the polls, or slander the good name of a fellow-citizen; but unless protected in these wrongful acts by some shield of State law or State authority, he cannot destroy or injure the right; he will only render himself amenable to satisfaction or punishment; and *amenable therefor to the laws of the State, where the wrongful acts are committed.*

The conclusion is irresistible that unless the violence done in Danville was done against some right protected by the Constitution and by the authority or under the connivance of some law, custom, or official of the State of Virginia, that Congress has no authority whatsoever to interfere, and this whole proceeding would become a simple impertinence toward the State of Virginia, which not even the dire necessities of party warfare can justify. Concerning the fifteenth amendment, the argument is precisely the same, to wit, that the whole remedy provided by

the Constitution is directed against State action, except that the United States are themselves prohibited as well as the States; and neither amendment contemplates Congressional action against the mere wrongs of individuals committed against each other. In other words, the character of the legislation which the amendments authorize is *corrective* of the wrongful acts of the States, and not *direct* against individual wrongdoers in usurpation of the authority of the States which are not in default.

As exclusive of a possible conclusion drawn from that portion of the fourteenth amendment which forbids the abridgment of the "privileges and immunities of citizens of the United States," the minority would adopt the language of the Judiciary Committee of the Senate, May 26, 1870, as used in the report of Mr. Edmunds upon the petition of citizens of Rhode Island, complaining that 10,000 citizens of the United States in that State were denied by the laws thereof the right to "vote at any and all elections holden in that State." That report says:

The "privileges and immunities of citizens of the United States" mentioned in the petition as secured by the fourteenth amendment do not include the right of suffrage. If they did, the right must necessarily exist in *all* citizens of the United States, from the mere fact of citizenship, without the power in any State or in Congress to abridge the same in any degree; and in such case, therefore, no qualifications of any kind could be imposed, and all persons (being citizens), males and females, infants, lunatics, criminals, without respect to age, length of residence, or any other thing, would be entitled to participate directly in all elections. Every provision in every State which experience has proved to be essential to security and good order in society would thereby be overthrown. It is enough to say that the rights secured by this amendment to the Constitution are of an altogether different character.

Again, even should it be true, as alleged in the *whereas*, that there was a conspiracy to assault and kill persons on the streets of Danville (and it is not true), it would not amount to such a condition of things, in the absence of any action of or collusion with the State or its officials, as would justify Congressional interference. In the *United States vs. Cruikshank*, 92 U. S., in discussing the indictment against the defendants, Chief Justice Waite, delivering the opinion of the court, says:

The charge as made is really of nothing more than a conspiracy to commit a breach of the peace within the State. Certainly it will not be claimed that the United States have the power or are required to do mere police duty in the States.

But it is indirectly said by the committee that they propose no interference by actual legislation further than, by investigation, to expose to public condemnation the action of the rioters in Danville, and it is also intimated that should the people of that State and Mississippi not vote for the candidates of the Republican party in the pending Presidential election, then the committee recommend a further investigation of the whole people of those States, with a view to depriving them of representation in Congress under section 2 of the fourteenth amendment. The latter the undersigned regard simply as a partisan threat, in itself strongly interfering with the free exercise of the right of suffrage, which it is believed the manly people against whom it is directed will treat with the contempt it so richly merits, and the former would seem to be simply a proposition to shift the expense of printing a campaign document from the pockets of the Republican National Executive Committee out to the public Treasury.

But if the Republican party will go so far out of the course of the legitimate functions of legislation as to investigate by a committee things with which it has no lawful concern, for the purpose of making party capital and scandalizing an illustrious sister State, whose people have just repudiated with scorn the unholy political alliance with them to

which they had been invited, a decent respect for the opinions of mankind should have impelled them to conduct that investigation with fairness and set forth its results with judicial impartiality. That this has not been done, a glance at the committee's report will satisfy every just mind. The examination itself was conducted with all the sharpness, the rigor, the shutting off of unfavorable testimony, the leading up to and solicitation of that which was favorable, the taking of every advantage, which usually characterize the trial of a criminal case in the hustings court. The people of Danville were all the way through treated as though they were on trial, with Republican Senators acting as prosecuting officers; and nowhere would it appear that the object was an impartial investigation by the United States Senate for the purpose of ascertaining truth. Things are assumed to be true on the rambling statement of ignorant negroes, though disproved by dozens of witnesses of greater intelligence, both white and black. The terms "murder" and "massacre" are repeated again and again with a frequency and ease which would indicate that they were actually founded in truth.

Protesting against the necessity of following the committee in their report upon the facts, for the legal reasons before mentioned, yet we deem it required of us as a vindication of those slandered people to do so in part. And first let us recount the simple story of the Danville riot as it appears by the greater part of the witnesses, both in numbers and intelligence.

In 1879 the Democratic party of Virginia divided on a purely local question pertaining to an adjustment of the State's debt, one portion desiring it settled at its face value after the deduction of that portion which it was claimed belonged to the State of West Virginia; the other advocating its settlement at a still less figure. The details of the differences are not material to our purpose. Suffice it to say, that the party opposed to the settlement in full, who called themselves Readjusters, by an alliance made with the negro element of the Republican party, triumphed, obtained possession of the State government, and adjusted the debt on their own terms. Meanwhile much ill-feeling was engendered, not only by the debt question itself, but by the evident tendency and disposition of the leading Readjusters to transfer their adherents and the State bodily to the Republican party. With this object an alliance was made with the administration, whose patronage was given to that party to the exclusion of even original Republicans who would not lend themselves to the scheme. When that scheme was finally perfected and its purposes openly avowed, the personal and political bitterness became intense, and culminated in the campaign and elections of 1883. In these elections thousands of Democrats in all parts of the State, who had acted steadily with the Readjuster party on the debt question, seeing now that matter settled, and accepted as settled by all parties, resisted the attempt to transfer them to the Republican party, and resumed their allegiance to the Democracy. In the city of Danville, which contains some ten or twelve thousand people, and is a place of considerable importance as a seat of tobacco manufacture and trade, the contest was unusually intensified by the surroundings.

The tobacco factories, by their payment of high wages, had attracted large numbers of negroes from the surrounding counties of both Virginia and North Carolina. Outnumbering the white voters by some three or four hundred, under the lead of bad and reckless men they took possession of the city government, controlling all its offices and finances. Inevitable misrule ensued, and numberless outrages and indignities were

alleged to have been committed upon the people, many of which are described by the witnesses. In their efforts to free themselves from this misrule, a large number of the citizens—leading men in character, intelligence, and property—prepared an address to the people of the Southwest and Valley of Virginia, in which they set forth their grievances and appealed to them for help at the ballot-box. This document was a partisan, campaign paper; it did not profess to be anything else,—and whilst it contained the usual amount of exaggeration and heated expression, its statements were proven by many most respectable witnesses to be, in the main, correct, especially in regard to those grievances which were most irritating and offensive to the sensibilities of their people. It gave great offense to the opposition, which was then called the Coalition party, and increased the excitement which then animated both parties. A few days after its appearance, and on Friday night, the 2d November, one W. E. Sims—a candidate of the Coalition party for the legislature—addressed a large crowd of already excited negroes in the streets of Danville, in which he denounced the authors of that circular in bitterest terms as liars, scoundrels, and cowards, amid the yells and wild hurrahs of his auditors. The negroes became uncontrollable, and this was really the beginning of the riot. Numbers of them had arms, which they displayed freely, using boisterous and threatening expressions of insult and hatred towards the whites. A United States deputy marshal, who was in their midst, turned to Mr. George W. Swayne, a respectable tobacco manufacturer, who was present, and exultingly exclaimed, in the midst of the yells of the negroes:

Yes, I'll be damned if we haven't got you. We have the white men of the Southwest with us, and we *have the negroes right against you; and I'll be damned if we can't turn them loose on you in five seconds.*

On Saturday morning large numbers of negroes assembled in the streets, many of them armed, blocking the sidewalks, and in many ways showing the excitement under which they labored. Numbers of them failed to go to their work in the factories as usual, and many who had gone to work quit at an unusual hour and repaired to the streets. Their excuse for this appeared to be the fear of an attack on their friend Sims, but after he had safely left the town without any demonstration of violence towards him, they still remained upon the streets, boisterous and insolent. No effort seems to have been made by the Coalition authorities of the city to prevent a collision, although they must have seen that one was imminent. About twelve o'clock in the day of Saturday, a young white man named Noel was passing up Main street, preparatory to leaving town to join his family in the country, when he came in contact with three negro men named Lawson, Lewellyn, and Love.

In passing by one of them tripped Noel with his foot, who turned angrily and demanded what he meant—this rudeness on the streets being one of the chief grievances complained of against the negro population—to which the negro man, Lawson, replied:

I beg your pardon, I was getting out of the way of a lady—and a white lady at that.

To which Noel replied:

That's all right.

At this another negro man, Lewellyn, said.

It don't make a damned bit of difference whether it is all right or not.

Whereupon Noel struck him, and a fist-fight ensued, both negroes striking Noel and knocking him back from the sidewalk into the gutter.

Finding himself outnumbered, and there being no white men in sight, he abandoned the fight and went away. At that time he was unarmed. He immediately repaired to his place of business and got a pistol, but by the advice of a friend, Mr. George Lea, in consideration of the excited state of the public mind, decided to take no further notice of the insult and assault, but determined to go on to his family in the country. For this purpose he got in his buggy and started, and while passing up street in a trot, he heard a voice exclaiming, "By God, here I am"; not noticing it at first it was repeated in a still louder tone, and in turning his head he saw one of the negroes with whom he had had the fight, who yelled at him in the same manner when he saw that he had attracted his attention. This aroused Noel's hot blood. He turned his buggy and drove down towards the opera house, where his friend, Mr. Lea, had gone to attend a large town meeting which had assembled for the purpose of taking action concerning the Danville circular. As he went in that direction the negro man followed, collecting other negroes as he went. Noel left his horse and buggy in front of the opera house, went in and spoke to Lea, and another friend named Taylor, told them he was going to chastise that man who had insulted him again, and asked them to go along and see fair play, promising that he would use nothing but his fists. The friends followed him as requested, and on reaching the street they soon found the negro man Lawson standing with his friends as though waiting for him. A fight then ensued between Noel and Lawson, no weapons being used by either party, of which Noel got the better, punishing Lawson so severely about the face as to render him bloody in a few moments.

Immediately that the fight began a crowd of negroes rushed up, whereupon Lea and Taylor drew their pistols and ordered them to stand back, saying that it was a fair fight, and no weapons would be used. The black crowd, however, continued to increase and the excitement to spread. Finally, a colored policeman came up and demanded that they should be separated, whereupon Taylor took hold of Noel and the policeman took hold of Lawson, and the fight was stopped. Under ordinary circumstances this would have been the end of it, but the negroes were too much inflamed to permit the matter to stop.

By this time a large number of them were present, and their passions were greatly aroused. The negro policeman himself had displayed a pistol at first, but had been made to put it up.

Just as the combatants were separated, a large negro named George Adams ran up and seized the pistol in Lea's hand and attempted to wrest it from him. In the struggle for its possession it was discharged, many say accidentally, which greatly added to the excitement and numbers of the crowd, and it soon swelled to from 200 to 300 blacks, whilst the three white men were reinforced by from twelve to fifteen of their friends, nearly all of the white men in town being at the meeting in the opera house. More policemen arrived, and several white citizens co-operating with them, police and citizens, mingled in the crowd and urged them to disperse, saying that it was a fair fight, that all was over, and the whites promising to go away if the blacks would. But they stubbornly refused to move, saying they intended to maintain their rights; that they intended to have it out right there; that they could shoot as well as the white people, and such like threatening expressions. Many of them were armed and importunately demanded to see the "damned scoundrel who had shot George Adams." The negro, George Adams, the friend of Lawson, went twice during the excitement from the scene to the market-house for reinforcements, and returned one

time accompanied by many with pistols, sticks, and knives, one negro man named Glass openly displaying his pistol, saying, "I intend to kill him with this," meaning the man who had beaten Hanse Lawson. Refusing to disperse, the police and the men who were aiding them gave up the attempt to control the negroes, who continued to crowd up and around the fifteen or twenty white men who occupied the sidewalk with their backs to the wall. Fearing for their lives they sent hurried messages to the opera house for help, and finally fired their pistols in the air, as is proven by many witnesses who are circumstantially sustained by the fact that no one was hit, although they were not more than 8 or 10 feet away from the dense mass of 200 or 300 negroes crowded around in a semi-circular front. Here there is some conflict of testimony as to whether or not the negroes returned this fire before they ran.

It is conceded that the negroes did fire, but it is claimed not until after the whites had fired a volley into *them*. At all events it is proven by various witnesses that the negroes ran and fired back as they went. One white man fell, dangerously wounded, and there were afterwards found many bullet marks on the walls of the houses in the rear of the whites. The negroes began to fly almost immediately, and in a short time the street was clear of them. Some straggling shots were fired in the air, apparently for the purpose of scaring the negroes only; and from the time that the first pistol shot was fired to the last straggling one, according to the testimony of the coolest and most competent witnesses to judge of time under such circumstances, no greater time than from thirty to ninety seconds could have elapsed, if so long. By this time the citizens in the opera house had poured out into Main street, and the excitement was very great, as may be supposed.

They scattered in all directions to obtain weapons, and negroes from distant parts of the town were seen running towards the place where the fight had taken place, with arms in their hands, showing conclusively that both sides were expecting a collision. The alarm bell was then rung, and the excited citizens who had possession of the streets were gotten together and addressed by Colonel Cabell, their Representative in Congress, in the interest of peace and quiet, and by the aid of many other citizens order was soon completely restored. The trembling mayor was sent for and the services of all the citizens were tendered him; he called out the white military company and placed it under the command of the town-sergeant, Wood, according to whose testimony complete order and quiet were restored to the city in thirty minutes.

Three black men were found dead, and one subsequently died of his wounds, chiefly through neglect, as is believed. On one of the bodies was found a pistol and cartridges. Two or three colored men were slightly wounded, one white man dangerously wounded, and two slightly wounded—one being fired upon while on guard that night.

That the riot was produced by the excited state of the public mind no one can deny; that the chief cause of the inflammation which characterized Saturday morning was due to the violent and incendiary speech of Sims on Friday night no one can truthfully deny; that it was accidentally precipitated by the insolence of the negroes, Lawson and Lewellyn, and the imprudence of the hot-blooded young white men, Noel, Taylor, and Lea, without any concert with others, no just man can reasonably deny. That even after the fisticuff, which they brought about, it could have been avoided if the colored men had accepted the offer of the whites—that both should leave—or if they had obeyed the commands of the police or the entreaties of the white men present to dis-

perse, likewise cannot be denied. That the few white men standing confronted by a great crowd of blacks, numbering at least ten to their one, many of them armed and infuriated, as their exclamations proved, *believed* it necessary to their safety that they should use their weapons, they have themselves, every one, solemnly sworn, together with a large number of cool and deliberate lookers-on, who thought that the situation was one well calculated to put a reasonable man in fear of loss of life or of receiving great bodily harm, which is the only true test of self-defense.

This man Sims was more to blame for the bloodshed in Danville than any other man. He it was who inflamed the passions of the negroes to such an extent that the collision of races became inevitable, and defied the feeble power of the police. He it was who stood up in the midst of an excited mob and abused and vilified the best people of Danville as liars, scoundrels, and cowards, and yet the committee refused to permit those men to attack *his* character, and show what manner of man their calumniator is. They did permit him, however, to grossly assail and insult (if that could be) the Senator who was conducting the examination in the discharge of the duties to which the Senate had assigned him.

Such is a brief outline of the main facts of the Danville riot, as they will appear to any impartial reader who will go through the whole testimony for himself, note the general current and bearing of the evidence, and give due weight to that which is on its face intelligent and consistent. The great volume of it will be found to sustain substantially the preceding story.

The manner of conducting the examination on the part of the majority has already been adverted to as evincing a disposition to elicit everything but the plain unvarnished truth, and to shut off anything that would favor the defense of the people of Danville. The methods of the report in dealing with this testimony are, if possible, still more unfair, more partisan, and disingenuous than was the examination. Many most important statements of the most respectable witnesses are entirely ignored; many important averments are made in direct contradiction of the great mass of the testimony.

By far the greater number of the points against the people of Danville are simply set forth on the authority of "a witness" without giving either his name, his color, business, or condition, or even citing the page where his testimony can be found, so that the reader can have no means of judging who or what the witness was; and it is left next to impossible to verify or contradict or modify what the witness said without reading through near 1,300 pages of testimony in search of each quotation. Couple this with the fact that an order to print 150,000 copies of the report has been asked for, to be read by those who have not the testimony before them, and who could not find the quotations if they had, and some idea may be arrived at of the fairness of this document, and the purposes it is intended to serve.

Again, quite a number of witnesses were summoned by the prosecution, examined, discharged, and sent home—some 250 miles—without being asked if they had not said certain things to certain parties. Weeks afterward ignorant and unvaracious negroes would be brought in and made to swear to most incredible statements made to them by the absent witnesses; whereupon the report dwells upon these statements, and triumphantly observes that these men (their own witnesses) had not been recalled to deny these statements, omitting to state the fact that they had been sent home, and that no such preliminary ques-

tions had been asked them. A few indeed were summoned to disprove these wild and improbable statements, which in every instance they did conclusively, but to have met each one with a counter-statement would have kept up a perpetual see-saw of coming and going witnesses, mostly to rebut improbable or unimportant assertions. It is to be noted, too, that the majority of the witnesses, whose testimony is reported without name or page, were ignorant and unreliable negroes; and there was a constant endeavor to hurry the minority and to limit the number of their witnesses. Of the whole number examined, 109 were examined for the prosecution and 89 for the defense. One negro man who is quoted, without name or page, as swearing to having seen a great number of guns, pistols, and ammunition in a store with the doors shut fifteen minutes before the firing began, and who swears that a clerk in that store told him in explanation of the preparations that "Hell was to pay, &c.," was confronted by that clerk, whose name was Williamson, who denied the whole story out and out. Here the man *was* called to deny what the negro said; but the report insists that the negro is still to be believed because Graves, the proprietor of the store, three clerks, and a stranger who was present, named Beech, were not all likewise called to contradict him.

When a committee of United States Senators thus announce their intention to believe one ignorant negro unless he is positively contradicted by at least five intelligent white men, the impartial reader can well judge of the animus and reliability of the report, and he can tell at once how much weight should be attached to the conclusions of the majority when they assert again and again without citing the proof itself that the testimony on such and such points was "conclusive" or "satisfactory."

The report asserts that the negro Jerry Smith was killed by the side of George Adams by the first shot, which was fired by Lea, in the scuffle for the pistol. So far as the minority can remember, or can find by searching the printed testimony, there is not one word to be found in all the evidence to sustain this statement. Nobody was hit by that shot; nobody fell by that shot. Adams, the negro, swore himself that the shot was fired at him *on the ground, and went under him before he had began to run*. It is true that he likewise swore that Lea continued to fire at him as he ran, and at the third fire that Jerry fell at the corner of Market street, but this is disproved by all the witnesses, white and black, without exception, who swore that there was but one shot from Lea's pistol prior to the general firing, which began some little time afterwards. Lea made no pursuit of George Adams, and the place where Smith was found dead is at least 225 feet from the place where Lea's pistol was fired.

Again, Charles Adams, the teamster, swore that W. P. Graves shot him in the arm in front of the door of Hessberg's saloon, which opens on Market street, whilst he was holding up his hands begging for mercy, and that after Graves had ordered him to go into the saloon out of the way and whilst he was doing so. This is stated by the report for the purpose of showing unnecessary cruelty and blood-thirstiness on the part of Graves, and the evidence on which it is founded is pronounced "entirely conclusive on this point, though Captain Graves denies it." Not only does Captain Graves, a gray-headed old citizen of most excellent character and intelligence, who has been recently elected mayor of Danville, positively swear that he did not shoot Adams, but so likewise do Charles H. Conrad, a highly respectable merchant, and Mr. George E. Coleman, a respectable manufacturer of Danville, who were

standing within a few feet of Captain Graves, looking at him all the time, and who described the transaction with most minute particularity

Against the testimony of these three intelligent and unimpeached gentlemen the counter-statement of an ignorant negro is "entirely conclusive." That is to say, that the usual guarantees of truth which are supposed to be found in the intelligence, position, and moral character of a witness, when arrayed against the opposite qualities testifying in behalf of the Republican party are to be utterly disregarded and set aside. The same thing may be said of the charge that Noel used brass knuckles in his fight with Lawson, as the proof of it is alleged and denied on much the same testimony as in the Graves case. The committee, however, make a very grave mistake when they state that "Noel was not called to deny it." The truth is Noel had already denied in his examination using any kind of weapon, and it was also denied by Taylor and Lea and other witnesses.

Again the assertion is made by the report that the riot was a "wanton, wicked, and groundless attack upon unoffending men, women, and children," and it is declared that this is sustained by the evidence. This is so positively and absolutely wide of the truth, in letter and spirit, that it is difficult to confine comment upon it within the limits of a proper courtesy. Laying aside the testimony of many, many witnesses that there were no women and children present at all, the very utmost that can be said with reference to them is what was testified by the Re-adjuster judge of the hustings court of the city of Danville, John D. Blackwall, who was looking on at the whole affair from the window of his room almost immediately opposite and over the scene. Page 348, he says :

Most of those in the street who congregated, looking at the fight (meaning the fist-fight), were evidently grown men. I saw perhaps a dozen negro chaps that from their size I should judge were from ten to fifteen years old, and maybe more than a dozen ; and down to the lower part of the crowd, where there was a flight of stepping-stones across Main street, leading from Jones' drug store to the upper corner of Hessberg's saloon, were a number of women, probably two or three dozen. There might have been a few children with them. I do not recollect seeing more than two or three children there. I mean by children—to be accurate I should say they were little negro girls, I thought probably with their mothers; but the majority of those women I saw did not seem attached to the crowd. They seemed to be passing back and forth.

Again, on cross examination, page 353, he says there were no women in danger when the white men fired that he could see. In truth, Freeman also testified, and at least a dozen other witnesses, that there were no women and children in the immediate crowd that was fired on.

Now, it is submitted to the fair-minded everywhere, that to characterize a fight on a public street between fifteen or twenty whitemen and at least two hundred negroes as an attack upon any women and children who happened to be passing on the street at that time, and who were in no danger, and whom it was not designed to injure, is, to the last degree, unfair and unjust. Such a statement deserves a much more severe and indignant denunciation than can here be administered. It defeats its own purposes by exposing the animus of those who make it. For, however plausible it might be to denounce the recklessness of rioters in attacking a crowd where women and children were *passing* and *might possibly* be injured, to charge that the firing was upon *them* and *directed against them*, is what no reasonable human being believes. And to speak of a lot of infuriated, armed negro men, flourishing pistols, knives, and sticks, surrounding a little knot of white men, whom they outnumbered ten to one, and whom they threatened with

violence, as peaceful and "unoffending" men, is simply to state as truth that which is not truth.

Again, the statement of the report, on page 13, is so framed as to produce the impression that George Adams, the negro, ran up and seized Lea's arm whilst the fight between Noel and Lawson was progressing, in obedience to the order of the policeman, Freeman. It is enough to say of that statement that by recurring to Freeman's testimony, page 119, it will be seen that the fist-fight was over and the combatants already separated before Freeman got there.

Again, it is claimed that the refusal of the negroes to disperse, in obedience to the orders of the police and the entreaties of many citizens, was simply the desire to have the man arrested who fired the first pistol. This is disproved by a great number of respectable white Democrats, by the police officers, and others. But as that kind of testimony seems to have little weight, let us see what is said of the behavior of the negroes by Aaron Pointer, who is not only a black man, but a very ignorant and hard-looking one, rambling in his statements, and possessed, in short, of all those qualities which the majority of the committee seem to think alone entitle a witness to full credit.

On page 1057, after describing how George Adams sprang upon Lea and tried to wrest his pistol from him, and how it was discharged right under Adams, proceeds as follows :

This George Adams runs back across the street towards the market where there was a great crowd, some 200, I reckon, got up, colored people—there was any quantity from the country, colored people on the market; the streets was pretty well crowded, and a little bunch of white men was standing near the wall, I reckon about 25 or 30, and this George Adams says, "Let's go and get him and kill him" to the other crowd. He went across the street then toward the market and got the crowd and attempted to get him.

Q. Get who?—A. Get him and kill him.

Q. Get who?—A. This man who hit Hense; I don't know the gentleman's name—and he says I can't find him, and so this other fellow; I will call his name for you—Glass—while Mr. Jeff. Corbin was going up and down the sidewalk telling them all just so; had his hand in his bosom, just shaking his fingers at them, and says, "Boys, don't you all crowd in here and raise great disorders for just a half drunken man."

Mr. Jeff. Corbin didn't know me. He says, "Gentlemen, now all go away; no use of this; go off, now, go off; will you go off?" That time this George Adams went across again—across the market—and he came that last time with nearly one hundred; and in the first time, as he came, as many or more following him on, he says, "Yonder he is; I will show him to you." The other fellow, Glass, pulled his pistol out and said, "I intend to kill him with this," and I saw as many as some seven or eight pistols and several sticks and knives, and they would have killed him, too, but there was a little big-headed white man—I don't know who he was, but he was standing in the door with a gun. He was a mighty small man, mighty big head, and I says to myself, "I will get out in the street," and there was a signboard setting down there, and I concluded to myself that I would get under that signboard; but I didn't do it. I said to myself, says I—let's see; there was a man who lived in North Danville, there, and says I to him, "Let's get away from here"; and just about the time we got half way across the street this vast crowd that George Adams brought had nearly got across—mighty nigh got on the sidewalk—and then they commenced shooting—I don't know whether it was white or black—and I commenced running. I run down on the market and run into a little house where they kept things to sell, and just fell in there on a pile of turnips, and just laid there on that pile of turnips until the shooting was over, and I then slipped off towards the court-house, and I goes out to Captain Vass and I says to Captain Vass, "I don't know what in the world to do"; and he says, "You go on back down there; don't you let those boys see you." He says: "These young fellows has turned up the very devil"; that is, Captain Vass. I was in his house. By that time the white people were going up the street with guns. It seems some on the other side of the street there were several colored people coming times two, and sometimes going forty, fifty, a hundred yards apart. Then down; it seemed like they had been out of town and was coming in, but there was no more firing at all after that. *But just as sure as I am a man and you a man, if that shooting hadn't commenced, they would have killed every man. They was going to kill him, no doubt, about it, and the reason of it was they was not natur-*

ally the citizens of Danville that was so anxious to get to that house. It was a large crowd of people from the country, and they went in with the people of Danville. They went in with us; they thought if we said anything it was so, and they went in with us, and we all just banded up and undertook to get him and kill him, and I thought they did kill him until the next day. I don't know what became of him. I have never seen him since.

Q. You say that after this first fight and the firing of that pistol George Adams went over to the market corner and proposed to a number of people there to go over and get that man that beat Hense and kill him?—A. Yes, sir. He went twice, I say. The first time they pulled him off this white man, and when they got him off he ran across and got a crowd; I reckon seventy or one hundred; somewhere along there; I can't say exactly how many; and there was a little bunch of white men—not many—with this other fellow that was attacking Hense Lawson. He got in among them some how or another. I don't know what became of him, but I think he went in the house. When he came back the last time he brought more than he did the first time.

Even the diagram which is annexed to the report of the committee quietly asserts a state of things mainly deceptive and untrue. A more bungling fraud it is impossible to conceive; and no doubt it secured a place in the report because the committee refused to accept the official map of the city of Danville, and have it explained by the city surveyor, and chose rather to adopt the rude diagram of some ignorant witness. It will be noticed in the first place that it does not give the location of the scene of the trouble at all. It does not show Woolfolk and Blair's office; it does not show where the white people stood on the sidewalk in front of that office; it does not show where the black people stood at any place, but it shows with great particularity where Violet Keeling stood, which it is supposed the majority deemed of more importance than the position of the combatants. Fig. 1 is given for the opera house in which the meeting was held, located half a block south of Market street; and Fig. 24 represents the white people as pouring out of the opera house and forming a line of battle, four files deep, at Fig. 11 in Main street just above the south corner of Market. Again, Fig. 8, on Main street, half a block north of Market street, represents people likewise rushing out of the opera house, from which we infer that there were two meetings held in two different opera houses at the same time, to wit, in Fig. 1 and Fig. 8, although the existence of an opera house at Fig. 8 was unknown to everybody except the constructor of this lying diagram, which with equal truth he styles, "Scene of the Danville massacre."

The truth is there was no line of battle formed anywhere, especially not in Main street, on the corner of Market, as represented by Fig. 11; there was no firing done there, or at any place, except in front of Woolfolk and Blair's office, save what was done by Captain Graves and one or two who were near him, and they stood on the other corner of Market street, near the front door of Hessberg's saloon, marked as Fig. 7. In front of Woolfolk and Blair's office there was no alignment, except such as was naturally created by the curbstone, along which the few white men stood to face their threatening enemies. It is also a matter of the merest truth, established by the testimony of Judge Blackwell, Captain Graves, and at least a dozen other intelligent and respectable witnesses, that the people who were attending the public meeting did not rush out of even one opera house, much less out of two, until after the fight was all over. In the nature of things this must be true, because so large a building, with such small exits as the witnesses describes, could not be emptied within the time occupied by the firing, and in fact it was not emptied of any of its occupants, with a very few straggling exceptions.

But the task of following and exposing in detail the many misrepresentations, unfair statements, and suppression of the testimony, as set

forth in the report, is a tedious one indeed, and one that would be utterly needless to all who could examine the testimony for themselves. We challenge all just-minded men to so examine it, confident if they do that they will conclude the committee did not want the real facts, but were searching for the material for a political campaign.

But perhaps the most remarkable and extraordinary attempt that was ever made in a *quasi* judicial proceeding, since that distant day when Moses and Jethro on the hills of Midian first organized courts for the trial of causes, was made by the committee to prove that the riot was premeditated and the result of a grand conspiracy of the Democratic party of Virginia. The proof of the contrary is absolutely overwhelming. Daniel Dugger, an intelligent man, who claimed to be a Democrat, but was elected to office by the colored vote, testifies, on page 627 and on page 631, that the riot was brought about through no premeditation or political preparation, but by the indiscretion of the young men, whose excitement was caused by Sims's speech. Judge Blackwell, the judge of the hustings court and a Coalitionist, on page 379 testified that, so far as he could see, there were no facts whatever tending to show that the riot was brought about with a purpose of killing or intimidating the black people, but had its origin solely with the hot-headed young men that began the fist-fight, which, in the highly inflammable state of public feeling, as he expressed it, "was like a spark in a barrel of gunpowder."

To the same effect substantially will be found the testimony of Town Sergeant James Wood, a Republican, p. 954; of P. B. Booth, p. 832; of W. J. Dance, p. 852; of C. H. Norton, pp. 884-5; of J. J. Pritchett, p. 890; of Charles H. Conrad, p. 925; of Green Williams, p. 945; of William A. Moorman, p. 1085. Nearly all of these, and many, many more, men of the utmost respectability, and who were in the secret councils of the Democratic party, swore positively and unequivocally that there was no concert or premeditation, but that on the contrary the constant advice of the leaders was to have no violence, to submit to everything for the sake of a peaceful election, their great fear being that the returning boards, being all in the hands of their adversaries, would rob them of the fruits of their victory.

Mr. George W. Swayne, on this point, testified as follows, page 895:

Q. Did you hear anything in the nature of premeditation about this riot?—A. I heard to the contrary exactly. It was this. That the election machinery and the State officials were Readjuster, but that we were confident of gaining a victory, and that if we were not very conservative and very cautious, they would seek on the least pretense to cheat us out of the fruits of the victory. I heard the leaders advise and caution Democrats to be very peaceful and very quiet, not even to resent any personal difficulties that might be construed as having any bearing upon politics at all. Mr. Schoolfield, one of the prominent men there, in fact advised me that way. That was the sentiment among all the leaders.

In truth, the proof of premeditation on the part of the negroes to bring about a collision is stronger and far more reliable than it is against the whites. (See testimony of L. L. Bass, p. 882; C. H. Norton, p. 884; G. W. Swain, p. 893; Green Williams, pp. 940-42-45; R. A. Prior, jr., p. 1080; W. R. Moorman, p. 1087; Frank Corbett (colored), 1033-35.

Against this mass of testimony the committee oppose the extravagant and unreasonable statements of a lot of negroes. Much of what they tell is of that wild and unreliable character of which the emotional and imaginative nature of the negro is so prolific; and purports to have been obtained by eaves dropping or by the voluntary confidence of leading Democrats, who took occasion to impart all their plans and purposes in

this way to those against whom they were aimed. A few samples will suffice: A "witness"—name and page of testimony not given—who said he was a boarding-house keeper, intimated that he had terrible things to tell, but was afraid to expose them, and begged to be excused; that he was loyal to the Government (that is, to the Republican party), and wanted to tell, but it was dangerous, &c. Finally, after much persuasion and a most solemn and impressive lecture by the chairman, he mustered courage sufficient to say that on one occasion he had sneaked into a little ante-room adjoining the hall of the Democratic ward club, and through the crack in a window had listened to the voice of *a man* addressing the executive committee, which he *thought* was that of Dr. Keene, saying that they must have the town at all hazards, if not now, next spring, at any rate. To which some other voice replied, whose he did not know, "If we have to take it by violence." It appeared by cross-examination that he was neither certain of the man who spoke nor of what he said, qualifying all with the usual precaution of false swearing, "I can't possibly remember every little technicality," and "I do not swear that any violence was contemplated by any class of people."

The barber, Mivins, whose testimony is also quoted to prove premeditation, swears, page 308, that some white people told him on the morning of the riot that he had better keep off of the street that day; that he saw two men with pistols, who came into his shop and loaded them, &c. Yet these two men who had given him this kindly advice, no doubt on account of the excited state of the public mind and the great number of boisterous negroes on the streets, were quietly being shaved when the firing began, and did not leave the shop until the shaving was finished and the firing all over.

Then the committee cite another witness—name and page not given—who testified that he saw "Mr. Williams and Edwards" running up street one day with some little bills in their hands—what they were he did not know; that as they went along they handed one to a lady in a door, and he heard one of them say to the other:

You go to Mr. Schoolfield's and get all he's got, and from there to Colonel Grasty's store and get all he's got, and I'll meet you at Mr. Joplin's—myself and Captain Graves—and then we will go from there to Captain Graves's house.

What all this meant was a profound mystery to this darkey until a short time afterwards he met "two white gentlemen from North Carolina," who took him into their confidence and explained it all by telling him there was "going to be hell to pay here directly." This made it all as clear as daylight. The "little bills" which Edwards and Williams were distributing contained, no doubt, the dark and guilty secret of the conspirators, which, to avoid publicity, they had had printed, and were confiding to the women. The committee very triumphantly remark that neither Edwards nor Williams was called to deny this. It is an evidence of their great forbearance that they did not also add, nor was the "lady in a door," or the "two white gentlemen from North Carolina."

Another witness—name and page not given, of course—testified that he saw 125 breech-loading shotguns on the counter of the store of "Tyack & Schoolfield" on the day before the riot, and that two men were there busy loading them with cartridges.

Now, when it is considered that the slipping of prepared cartridges into a breech-loading shotgun (occupying fully one second) is a very slow and tedious process, we cannot but admire the forethought of the conspirators in starting two men at the work twenty-four hours beforehand, or four whole days if the riot was intended for election day! And

when we consider further that not a shotgun was fired during the riot, and finally that there is no such business firm or storehouse in the town of Danville as "Tyack & Schoolfield," we may cease to wonder that this testimony was uncontradicted, as the committee triumphantly announce.

Another witness—name and page not given—is quoted as testifying that he was a huckster in the market, and that awhile before the election the white people actually ceased to patronize him. Also, that on one occasion he stopped under the hall of the Democratic club while a meeting was going on, and listening heard the voice of some speaker, he did not know who, saying that the Democrats intended to carry the election by fair means or foul. Now, if any one should doubt that what this noble eavesdropper overheard is proof conclusive of a dark and damnable conspiracy to kill and murder, that doubt must be dissipated when the significant fact of the withdrawal of patronage from the huckster is taken in connection therewith. If to stop buying vegetables from a negro huckster don't mean that you are preparing to murder him, in the name of the Sacred Ensign of the Bloody Shirt what does it mean? The "voice" of that bloody-minded speaker was "not called to deny this."

Another witness, whose name happens to be given, Rufus Hatchet, says that about the first Monday in October he was in the hardware store of a Mr. Vass and heard a conversation carried on without concealment between Vass and a man named Fox, Mr. Holland, and a Mr. Catlin, in which it was said that the town was in a dreadful fix, that it would result in bloodshed, &c.; and sundry mysterious allusions were made to a bill of lading which Vass said he had received for five hundred "bull-dogs or boys" which were expected soon by the train. Not understanding what all this meant, he applied to the clerk, who told him that it meant pistols, self-cockers, &c. Of all this jumble of disconnected and unmeaning nonsense, no one was called to disprove anything, say the committee. Of course not. The only material thing was the explanation which he says the clerk gave him, and *he could not specify the clerk's name*, and there were five or six in the store! The whole story of Hatchet is evidently an imaginary yarn in which he was very badly coached, as the cross-examination shows. The statement of this witness concerning declarations of Captain Graves—given on page 12 of the report—is an evident falsehood, and was made after Graves had been examined, discharged, and sent home, which is the reason why he was not specially called to deny it. Had the committee gone to Danville, as the minority desired, such wild statements as these could have been promptly met upon the spot wherever names and address were given. The truth is, as explained by the testimony elsewhere, the armory of the Danville Grays was likewise used as the hall of the Democratic ward club; the military drilled and "practiced" there; the club held their political meetings there only. Purely and commendably in the interests of peace it was that Sims was requested not to speak on the steps of the same building in which the "Grays" were appointed to have a meeting on the same night. The statements of the witness to the effect that Vass had ordered 500 double-action pistols is also evidently false. Mr. Valentine, a hardware merchant—p. 1074—testifies that the double-action (Smith and Wesson) pistol cost \$10.65 apiece by the wholesale. That they usually ordered not more than a half-dozen at a time; that they sold most of the cheaper kinds of pistols to the colored people, and had sold a larger quantity than usual to them for the six weeks preceding the riot. Five hundred of the higher-priced self-cockers would have amounted to over \$5,000

for one bill, and such an order is contrary to the usual course of trade. Of the cheaper ones, Valentine said, they never bought less than 100 at a time. The "bull-dog" was described by another witness as being a cheap pistol, and if Vass had really ordered 500 of them, it was evidently for the colored trade.

Another witness—name and page as usual not given—the committee quote as saying that he was at work for a Mr. Bendorf; that one day, not long before the riot, Mr. Bendorf told him that Danville was in a bad fix, which he believed would result in a riot; that he liked all his hands, and didn't want any of them to get hurt, and advised them to keep off of the streets. That a man of intelligence living in Danville during that very inflamed period should be apprehensive of a collision need surprise nobody, but that the expression of this apprehension to his colored workmen, and his kind advice to them to avoid the crowded streets, should be set down as evidence of his complicity to kill the people whom he thus desired to save is indeed a matter of very great surprise. Bendorf was not called to deny this, for the simple reason that there is no such man known living there.

Various other negroes are cited in the report, without name or page, who testify to similar declarations obtained in similar ways, eaves-dropping, pretended conversations in their presence, confidences imparted, and kindly warning given, in consequence of the excited state of public feeling. A negro named Glass, who swore that he saw a number of guns brought out of Woodfolk & Blair's office and distributed during the fray, is positively contradicted by Blair, the proprietor of the office, and Dance, his clerk, who stood guard in the door during the whole fight. This witness was one of the most active and violent of the whole negro gang, as described by the colored man Pointer and others, and the committee did well not to give his name or the page where his testimony was to be found.

Another witness, name and page of testimony not given, but which the minority were able to find from memory, is quoted by the majority as saying that a white man named Seward told him some time before the election that the Democrats were "going to carry it, votes or no votes, with double-barrel shotguns, breach-loading shotguns, and with Smith & Wesson double actions, "and his next reply was to that, saying to me "and, God damn you, we will get you. I will be damned if you aint bound to go." There is no case that better illustrates the shameful unfairness of the committee in their quotations and references to the testimony than this. This witness was named Squire Taliafero. He was a negro politician, ignorant, turbulent, and utterly without character. Being compelled to leave Lynchburg, where he formerly resided, he took refuge in Danville, and immediately became a leader of the negroes there and a coadjutor of such men as Raulston and Sims in the dirty work which was done under negro rule in Danville. He it was who threatened and bulldozed the witness Pointer, saying that he had put his name in a black book because he was a Democrat, and would see that the colored people did not notice him any more than a dog. It is in proof that he went round persuading colored married women to leave their husbands if they should vote with the Democrats. In one of his speeches a short time before the election he advised the negroes to arm themselves before they went to the polls, adding significantly that "men didn't go a-hunting squirrels with empty guns." Being convicted in the United States court of the offense of retailing whisky without license, he was of course taken up by the Coalition common council and made sanitary commissioner of the city. A story which he relates

of the conversation with a man named Hatcher and a man named Cobbs, in which the same threats were made that he says were uttered by Seward, he admits in his cross-examination that Cobb denied and showed him wherein he was mistaken. (See page 581.)

A reading of his testimony, especially the cross-examination, will convince any one that he was a most worthless, dangerous, unprincipled, cowardly, lying negro, a disgrace and an injury to the whole race. After advising them to arm themselves and exhorting them to stand up, he admits that he fled at the first shot of Lea's pistol—some time before the general firing began—went to a house across the river in North Danville and secreted himself from that evening until Monday morning. So frightened was he that telegraphic messengers who were searching for him with a message and knocked at the door of the house were magnified into an armed crowd thirsting for his blood, and the citizen police who were patrolling the town, he described as a mob of cavalry and infantry! Still he said that he thought that it was a knowledge of his desperation and courage that kept them from breaking open the house and dragging him out of his hole. (See page 580.)

Now, by forbearing to make any statement as to who this witness was, and omitting to give name or page of his testimony, the committee no doubt hoped that the reader would presume he was a man of irreproachable character and his testimony not to be contradicted.

Strange to say, the absurdity of basing a charge of conspiracy to kill and murder against an honorable and Christian people on such testimony as the preceding is exceeded by that which the committee rely upon to prove that the conspiracy was well understood outside of Danville. For example, it is stated by the Report that a "witness" (name and page of testimony not given) saw a printed handbill at the depot of Millsborough, in Bath County, 150 miles from Danville, between 7 o'clock and noon of Saturday, November 3, in which it was stated that the "black wave had struck Danville, and there had been four colored men and one white man, a leading citizen of Danville, killed." In the testimony itself (page 772) the statement is that the white man who was killed was a *young* man. When it is remembered that the riot did not take place till between 3 and 4 o'clock on that day, and that there were just four colored men killed, and one young white man (Holland) who at first was thought to be killed, it will be seen that this paper (if it really existed) did not purport to be a rumor of what was expected to be done in Danville, but a description of what had been done. Either the author of that slip, therefore, must have had the extraordinary gift of prophecy or the witness must have had the ordinary gift of lying. As his name was Richards, and as he was an Ohio tramp who claimed to be a kind of local historian, the probabilities are submitted, without comment, to a candid world.

Another witness—much relied on by the committee—was a white man who kept a negro grog-shop in the neighborhood of Richmond, Va. He swore that about the middle of the week before the election, and therefore some two or three days before the riot, he went to the Galego Mills, in Richmond, on business, and that a clerk named Hardy there asked him if he had heard of the fight at Danville, and went on to tell him that a fight had taken place there, occasioned by the rudeness of negroes pushing ladies off the streets. As neither did this purport to be a rumor, but a statement of past transactions, it is a self-evident mistake or a self-evident lie, as the case may be.

Another witness, name and page not given, is quoted as testifying that on Friday, 2d November, he had a conversation with a *stranger* on

the train, whose name he did not hear, who told him that he expected trouble in Danville; that he lived there, and, having gone to Richmond on business, had received a telegram telling him to come home; "that three signals from the Star warehouse bell would raise one hundred men in arms at any time;" and that he, the said stranger, wound up the blood-curdling story by declaring that he would not ask a Coalitionist into his house or eat with one if he knew it! The committee forgot to add the formula, "That stranger was not called to deny this." As the report italicizes the statement with relation to the signal bell and refers to it elsewhere, it is well enough to state that, as explained by some of the witnesses, the same bell was used for calling out the military companies, fire companies, &c., and, of course, to prevent confusion, each company who thus used the bell had its own private signal—a most ordinary and innocent thing.

Another witness testified that General Hill, of Albemarle County, Virginia, had boasted to him on one occasion that they (the Democrats) were going to beat the witness's party, using the words "We have more money than you, and we intend to use it; and we intend to bully where we can't buy." And that is relied upon as conclusive proof of a conspiracy to produce a riot in Danville!

But that which most insults the legal intelligence of the country is the testimony quoted of a railway clerk, residing in Wytheville, Va., to the effect that on Monday or Tuesday before the riot *he* had *overheard* the telegraph operator say to another man that *he had overheard* a message passing over the wires from *some* house in Danville to *some* house in *some* Northern city ordering *some* pistols! The truth of all this appears to have been vouched for by the fact that the operator was a Democrat, and the witness was not!

What more could be asked to endow hearsay, in the second or third degree, with all the force of positive and uncontradicted testimony!

The chief objects of complaint against Democratic rule in the State of Virginia are stated by the committee's report as follows:

It appears from the evidence that during the control of the affairs of the State by the Democratic or Funder party, a constitutional amendment had been adopted in 1876 imposing the payment of a capitation tax of \$1 as a prerequisite to the right to vote, and a law had been enacted establishing the whipping-post as a punishment for minor offenses, and disfranchising every person subjected by law to that punishment for certain of such offenses.

The constitution, after the ascendancy of the Readjuster party in the State, had been amended, abolishing the capitation tax, and the law establishing the whipping-post, had been repealed; and, for the first time in the history of the State since the amendment of 1876 was adopted, suffrage at the election in November was to be free from such restrictions.

In this statement there appears more than one important mistake. It is not true that during the domination of the "Democratic or Funder" party the amendment of 1876 requiring the payment of a capitation tax before voting was adopted. At the time of the adoption of that amendment there had been no division of the people on the debt question and the Funder party had not been heard of. It was adopted by an overwhelming majority of the people, and some of its conspicuous advocates were men who afterwards figured as leaders of the Readjuster party after that party was formed in 1879. The great body of the white people voted first for its ratification and afterwards for its repeal without regard to their differences on the debt question.

Equally mistaken is the statement of the report in regard to the whipping-post. It was *not* established during the control of the State by the "Democratic or Funder" party. It was an old-time institution

existing before the war, and was mainly directed toward white offenders, since in those days the colored people, as slaves, were rarely ever punished criminally for minor offenses. It does not *per se* disfranchise the criminal who is subjected to it, and never did. The disfranchisement was worked by the conviction of the felony for which whipping was the punishment. Now that it has been abolished by the votes of men of all parties, conviction for the same offences continues to disfranchise the same as when it existed. The cry therefore against the whipping-post is more matter of sentiment than anything else. It is, however, a very significant circumstance that the Coalition party of Virginia should entertain such inveterate hostility to that venerable institution, charging that it is a Democratic contrivance and the enemy and oppressor of their party. The candor with which they admit that a mode of punishment directed in all ages to the suppression of larceny is a direct blow at their rights and liberties, is commendable in the highest degree and illustrates that which philosophers speak of as "the eternal fitness of things." The oppressive and discouraging tendency of that punitive instrument upon the genius of Southern Republicanism is freely conceded, as well as that its principal victims are, and of right should be, the disciples of a free ballot and a fair count who clamor against the corruptions of Bourbon Democracy. It is also conceded that necessity imposes upon them the demand that the sacred right of suffrage should in no wise be hampered with the condition that the suffragist should himself respect the paltry rights of property, but that the glorious freedom of the ballot-box should also imply their freedom of neighboring hen-roosts. Be that as it may, the minority congratulate the majority of the committee on the strength of their sympathy and the ties of party affiliation which has induced them to champion the cause of convicted thieves so openly if not so ably; and also that the genius of Virginia statesmanship has been able, through much tribulation, to relieve their friends from this "barbarous feature of a degenerated code," introduced to the world first by an obscure legislator named Moses, and planted first, along with religious toleration (of all who agreed with them), on the shores of the New World by New England selectmen!

In reference to the charge that by such means the Democratic party of Virginia undertook to disfranchise their adversaries, the appeal for sympathy in behalf of the negro which the committee make loses much of its force by reference to the following important fact in the recent history of Virginia: In the process of reconstructing that State by the military, whilst it was District No. 1, a clause was engrafted upon the "Underwood" constitution disfranchising every man in the State who could not take the iron-clad test-oath. If adopted this would have deprived nine-tenths of the white people of Virginia of the right of suffrage, and rendered them serfs and outcasts in the land of their nativity. The proposition was so monstrous that a committee of citizens waited upon the President and earnestly supplicated him to order that that clause should be voted upon separately. He yielded to their entreaties, the vote was so taken, and every negro in the State, with the exception of about 9,000, voted to ratify that obnoxious feature and keep it in the constitution. The colored race of Virginia thus showed their disposition to disfranchise the whites absolutely, and yet whine over the law which required them to pay a capitation tax of one dollar for the privilege of voting, although the money was devoted to the education of their children. Contrast their disposition toward the whites with the conduct of the whites toward them, as proven by the witnesses exam-

ined in this investigation. Out of the one hundred and sixty sworn and examined, white and black, old and young, learned and ignorant, male and female, not a single one could be found to swear that any interference, legal or illegal, had ever been known with the black man's right of suffrage in the State of Virginia from the time when the right was first conferred upon him to this day. Not one.

For not only was the last election in Virginia perfectly free and fair, as shown by the largely increased vote everywhere, except where it was disturbed by the violence of the blacks themselves, but even in the city of Danville, as was admitted by the leading Republican witnesses themselves, white and colored, not the slightest disturbance was made or the smallest hinderance thrown in the way of any man's right to vote.

On the other hand, as a sample of the desire of this Coalition Republican party of Virginia to have peaceable and pure elections, consult the testimony of Hon. Eustace Gibson, page 1125, of what was done by the negroes in Culpeper, Va., on last election day; of C. P. Armstead, page 1126, *et seq.*; and of George D. Wise. From the testimony of the first two will be seen interference by open violence with the right of suffrage and free speech; and the latter shows conclusively the grossest frauds upon the purity of the ballot-box. It seems that an illegal tax-collector was appointed in Richmond for the special dirty work of issuing fraudulent tax-receipts; and under the system carried out \$1 was made to pay some four hundred men's taxes, by the simple process of the first man handing it to the bogus tax-collector in a guarded room, who gave the tax-payer a bogus receipt and the dollar, which he in turn handed back to the door-keeper as he went out, who in his turn would hand it to the next free-ballot-and-fair-countist who came in. Mr. Wise was not contradicted even by a cross-examination.

Contrast this likewise with the condition of affairs in many parts of the United States where the Republican party, his professed friends, bear sway. In Massachusetts, under the law forbidding the right of illiterate persons to vote, or paupers who are unable to pay certain taxes, 144,509 persons are disfranchised who would be allowed to vote if they resided in Virginia. They are disfranchised for both ignorance and poverty, as well as for crime.

In Rhode Island the restriction upon suffrage is still worse. In fact, the government is absolutely in the hands of land-holders and their eldest sons—not more than 40, certainly less than 50, per cent. of adult males being entitled to vote. Not only are they disfranchised for crime, but for ignorance, poverty, and foreign birth if not land-owners. It is not a Republican form of government. Of course a large number of colored men are disfranchised in both States. Yet, in the face of all this, a Senator from Massachusetts signs this report, threatening to reduce the representation of the State of Virginia, whose laws allow all to vote without any condition except age and citizenship, and where black men have exercised this right without the slightest interference, to the extent of the number of negroes deprived of the right. This looks much like the temerity of a man, armed with a clod of dirt, challenging an exchange of missiles with a man who has a gun. Virginia might well indeed challenge Massachusetts to such a contest as this.

In the District of Columbia, containing a population of 177,000, the Republican party has abolished the right of suffrage altogether, and these people are governed as a satrapy of the empire. Under the very shadow of the dome of the Capitol of a great republic, the cornerstone of which is the suffrage of the governed, that great, first principle is denied and spit upon for no other reason than because 33 per cent. of

the population of this District is composed of negroes who could wield the balance of power in popular elections. Whilst it is deemed the right thing to do to force negro-supremacy, even by the use of the bayonet and all kinds of illegal Congressional interference, in States where they constitute 40, 50, and 60 per cent. of the population, it is not deemed proper, safe, or pleasant for the great apostles of this doctrine to live under this rule themselves. Therefore, a people, greater in numbers than the States of Delaware, Oregon or Nevada are deprived of the right of suffrage absolutely. No man within the shadow of this Capitol can vote for any ruler, from ward constable upwards.

The committee also accuse the Democracy of Virginia of exciting the race issue in the last canvass, and quote many inflammatory appeals of speakers and newspapers to prove it, ignoring, of course, all the proof which placed the boot upon the other leg. No charge is more commonly made in Southern politics, nor is there one more utterly absurd and contemptible. It is the old cry of "Stop thief!" Not only was it proven by almost every witness who came before the committee and was examined on the point, but it is a fact notorious in the history of the negro States, since reconstruction, that the race issue was begun and has been continued in them all by the rigid banding of the black race everywhere for the support of the Republican party in open and flagrant hostility to the white race, which is Democratic. No evasions, subterfuges, or explanations can avoid this obvious fact. From the very first the utmost care was taken to see that a colored man was rendered odious and denounced as a traitor to his race if he dared vote the Democratic ticket. In many of their societies they were sworn to stand by the Republican party. Their preachers exhorted and denounced from the pulpit, and the general rule was expulsion from church membership for any failure to support the Republican party. The ostracism practiced by them, both as proven before this committee and as historically known to exist all over the South, is fearful, and often results in the barbaric cruelties which characterize a half-civilized race. All this for the purpose of keeping the black race solid against the white, and for all the instances of the kind proven before this committee, the majority have not one word of rebuke. They know too well that but for such means the colored Republican ranks could not be held solid, but would yield to the intelligence, wealth, and superior acquaintance with the management of affairs possessed by the whites in whose midst they live.

In the face of all these undisputed facts, which by their silence they justify and approve, the majority have the hardihood to complain of the white people of the South for appealing in turn to their own race in the desperate attempt to preserve their institutions, their property, their every interest, and civilization itself. There was not an intelligent witness on the stand, however unwilling, but either confessed or avoided expressing his sentiments that the banding of the negro race forced the combination of the white race. The common sense of the proposition is indisputable, and the minority believe and hope that so long as that black organization is maintained as a part of the policy of the Republican party and is headed by men of the character of those who have heretofore led it, the white people of the South will have the wisdom and the manhood to withstand it as a race—as *the* race to whom the Government of this country properly belongs.

When colored people learn to divide on questions of public policy, to reflect and determine and show themselves capable of being influenced by those considerations which appeal to the motives of those among

whom they live, then, and *not* till then, would the minority expect to see the white men of the South divided as of old.

So far from its being true that the Coalition party had no motive to induce them to excite the race issue in the campaign of 1883, as the report asserts, they had the very strongest inducements for doing so. The negroes were thoroughly Republican, and viewed the new Readjuster party with distrust. They preferred the genuine article, and were disposed to cling with tenacity to their old tried leaders, Wickham, Dezendorf, Dawson, and others. To drive them to the support of a party that everywhere denied being Republican for the sake of deceiving its white adherents was the task the Readjusters had before them in 1883. For this purpose the appeal to the race issue in the black portions of the State by violence and every species of bitterness, as is proven by the testimony of Dezendorf, Wickham, Armistead, and many others. In this they were seconded by the whole power of the Administration, and the strange spectacle was presented of life-long Republicans dismissed from office for voting the Republican ticket and refusing to vote for men who still called themselves Democrats, or who at least denied that they were Republicans.

The whole treatment of the people of the South by the Republican leaders since the reconstruction rape has been one of violence, pharisaical assumption of superior purity, and insolent and unconstitutional interference with their rights and liberties. It is a story, the contemplation of which should bring the blush of shame to the cheek of all just and candid men. Consider it one moment. War was waged upon them in the first instance, on the ground that they were within the Union and could not get out of it, and were therefore bound to obey its laws. When that war closed those who had maintained this position were triumphant, and their doctrine was vindicated by arms. In violation of this position and of common sense, for purely partisan purposes, they proceeded by act of Congress to declare the seceding States out of the Union, and not entitled to the protection of the Constitution and laws which they were yet bound to obey; and they proceeded to arrange terms by which they should be restored to a Union which they had never left! All civil law and civil officers among them were overthrown. They were reduced to military districts and the bayonet was given them for their government instead of the Constitution of their country. Having disfranchised all of their trusted leaders and men who were acquainted with the management of affairs, and enfranchised without the shadow of any authority of American law their recent slaves, utterly unfitted in every way for the trust, they ordered military elections to be held for delegates to conventions to prepare constitutions for the government of those people. Four of these States whose constitutions were thus framed by ignorant negroes led by the vilest wretches of whom history makes mention, under the auspices of the bayonet, were a portion of the original thirteen whose valor achieved the independence of this great country, and whose wise patriotism established its institutions. By thus excluding the decency and intelligence of the Southern people from all participation in the formation of their own constitutions as well as from the first legislatures held thereunder, it was reasonably hoped and expected that the spirit of the Southern people and their love of democratic liberty would be broken, and those fair States would become mere outlying provinces, obedient to the will of the Republican party.

Truly it was a magnificent scheme worthy of the despotic soul of Strafford, or even of the genius of Machiavelli. But it failed, as did Strafford's "Thorough." Its authors overshot the mark, by underesti-

mating as well the villainy and corruption of their carpet-bag tools, as the strength and liberty-loving spirit of the Anglo-Saxon race—descendants of the men of Yorktown, King's Mountain, and Mecklenburg. Nobly did their manhood stand the test, and after suffering a few years of the corruption, plunder, and outrageous misrule of the carpet-bag reconstruction governments, and witnessing scenes not known before in our history on this continent, they rose and swept them out of existence; and the places that too well knew them once now happily know them no more forever.

From that day to this, however, they have had no rest from the persecutions of the disappointed Republican leaders. Their Representatives, most reputable and generally able men, occupy their old places in the halls of Congress, laboring like all others for the public good and the common glory; their State governments, completely republican in form, have been reorganized and thoroughly equipped in all respects for the administration of their domestic affairs on the justest principles. Their people, accommodating themselves with most wonderful facility to the new order of things, have revived their industries, and with new hope and far-reaching desires, have inaugurated on the ruins of war a career of prosperity and peace such as few people in this world have ever exhibited under circumstances so adverse. Recognizing the fact that the 6,000,000 of blacks within their midst were their fellow-citizens and their very valuable co-laborers in the fields of production, they wiped away every vestige of their slave laws which discriminated against them, and set themselves everywhere in good faith to the task of cultivating the kindly relations with them which were deemed so necessary to reciprocal prosperity. It can be safely affirmed that they have done everything to further these objects except to manifest a desire or willingness to submit to them the government of their country. If any Northern State has done more the minority would respectfully ask that it be pointed out. If the people of any Northern State are willing to commit their destinies and those of their children to the keeping of the African race, let that State be pointed out, and we will answer any such possible case in theory by showing what has actually been done in the District of Columbia. It is true that occasional acts of violence have been committed by intemperate men here and there, but it is likewise true that the outrages which have provoked them have been many and terrible. It is likewise true that the policy toward the blacks of the great mass of the Southern people has been conciliatory and peaceful. When one hundred years from now the impartial historian shall pen the story of Southern reconstruction and show how so many millions of the proud people of a glorious race were made to pass through the fires of Moloch, amid so many things humiliating to their pride and wounding to their sensibilities, he will wonder at their dignity, justice, and forbearance no less than at the great length of time during which the evil machinations of politicians have been able to prevent the restoration of complete fraternity between the wise and Christian people of North and South.

The minority of your committee are of opinion that the ballot is much more free and unrestricted in the South than it is in many portions of the North. They are further of the opinion that the general treatment of the negroes in the South is better and more kindly to them as laborers than it is in the North. Even in this town of Danville it was shown by the testimony that not only were negro laborers paid from \$5 to \$10 per week for work in the tobacco factories, but were even furnished money and means to live upon during the season when there was

no work to be done. What manufacturing establishments in the North treat their hands so well? The minority have been informed that many, if not all, the labor associations of the North exclude negroes from membership; and not only so, but that the white men will not work with blacks at the same occupations. (See report of Blair Committee on Education and Labor, Vol. IV.) It is not so in the South, where negro carpenters, masons, tailors, blacksmiths, and all other trades, work side by side with the whites.

Throughout all the North no blacks will be seen engaged in any but menial labor, unless it be that they have establishments of their own. In the South you will find them occupying offices of every character—municipal, county, State, and national; in the legislatures and in the magistracy. In the North you will find none in the legislatures and next to none in any elective offices. What became of the one whom the governor of Massachusetts attempted to appoint to the bench? How many have ever come to the Congress of the United States from Northern constituencies? How many colored postmasters have been appointed in Northern towns and cities? How many colored men are clerks in the Departments in this city or the North? How many have ever been tendered positions in the Cabinet? How many have ever been appointed ministers or consuls to any foreign countries, except negro countries? What substantial evidence has ever been given by the Republican party that it had any use for the negro race, except to obtain its vote and make use of its wrongs—real or fancied—as a means of exciting prejudice against its adversaries, the Democrats of the South? This spirit was strikingly manifested by the witness Wise, a leading Republican of Virginia, who swore that he received negro members of the legislature *in his kitchen*. Their votes being secured, their humble position was at the back door of a man's house, which it seems they instinctively sought in the absence of an invitation to the front. If they receive such treatment from men who thus owe all their honors directly to them, how much can the negroes expect from those whom they antagonize so zealously?

That these investigations are for mere political purposes are proven by the fact that they are admitted to be outside of the proper authority of Congress. Now, suppose the example should be followed, and a Democratic House of Representatives should order investigation into the thousand and one outrages upon law and right so frequently occurring in the Northern States. What a condition of civilization could be shown! How much of prejudice and bitterness could be excited! Whilst the Senator from Ohio was investigating the riot in Danville, and holding up his hands in horror at the shooting of four negroes in a crowd of some two hundred negroes who had attacked and crowded to the wall some fifteen or twenty whites, bloodshed, murder, and arson were running riot in his own city of Cincinnati, during which more than fifty were killed, twice that number wounded, and \$1,000,000 worth of property destroyed, as is reported. This too, it is said, originated in a failure to administer the laws for the protection of life, in the corruption by bribery of the very fountains of justice. Yet, he signs a report charging the whole Democratic party of Virginia with a conspiracy to kill and murder four negroes, and recommends the debasement of that illustrious commonwealth by the deprivation of her representation in Congress, although her laws are just and indiscriminating, and her authorities who are sworn to execute them belong to his own immaculate political party. Well did that Senator describe his own political ethics when he said in his place in the Senate on the 6th April, 1881, "anything

that will beat down that party and build up our own is justifiable in morals and in law." Such is the spirit that persecutes Virginia.

Suppose, too, that in pursuance of this meddlesome desire to interfere with other people's business and for the purpose of exposing the state of civilization in communities where such things are done, the committee should also be directed to investigate the notorious charges of tanning the hides of negroes and starving and poisoning paupers, and the state of the infant corpse industry in the State of Massachusetts? Suppose the committee should be directed to inquire into the killing of negroes in Ohio for the sale of their carcasses to the medical colleges and report upon the state of trade in that branch of American industry, and whether it was likely to interfere with the pork-packing business of the city of Cincinnati? Also into the driving of negroes away from their work and the killing of them for going into public bar-rooms to take a drink, as the newspapers report in New York? How much bitterness, indignation, and scandal could there not be excited! All would admit this to be wrong, yet, in law and in morals, it would be no worse than what is constantly done in the South. We must recognize the fact that if the States do not redress wrongs and punish crimes within their midst, they themselves must be the chief sufferers.

Then look at the great riots of 1877. Suppose we investigate them and show the corporate greed, the exactions and tyranny of capital, which caused all that misery, loss of life, and destruction of property, and trace it to the subserviency and fostering care of the Republican party? In Reading, Harrisburg, and Pittsburgh, several hundred were killed and wounded, while many, many millions of property were destroyed by fire or plundered by the mob; whilst on all the roads, the great lines of the North, and in nearly all the great cities from New York to Chicago, killing, burning, robbing, and destruction were the rule for some three weeks. How much of misrule, misgovernment, injustice, tyranny, and corruption would an impartial investigation of these unhappy events expose and bring to light! The reply is, and very properly, those things are liable to happen everywhere; they are purely of State concern, and Congress has no business with them.

Why is it not the same with a common street riot in the town of Danville? In law it is precisely the same, though it is true the slain men were not killed for the very thrifty purpose of selling their bodies or tanning their hides; they were simply killed in the self-defense of a few outnumbered white men, and the occasion is seized and ungenerously used to apologize for the fall of a mongrel party, which has just been repudiated by the people at the polls, and for the purpose of aiding the Republican party in the desperate straits to which it is reduced in the pending Presidential campaign.

Why should not, with equal propriety, this committee, or some other, be directed to inquire into the numerous and disgraceful bank-swindles and Wall street frauds which have recently disgraced the financial honor of the country, and, in many cases, beggared the confiding and the innocent? These things much more nearly concern the general public than does a street riot in Danville, and approach much nearer to the powers which are granted to Congress under the Constitution.

The difficulty of presenting a proper statement of the facts elicited by the testimony will be recognized as very great; as is also the task of correcting what the minority deemed unfair deductions of the report from the garbled statements which it sets forth, and of making all in such manner and within such space as would be acceptable to the ordinary reader.

The minority have done their utmost, in vindication of a people so ungenerously and improperly assailed, to so present a general view of the facts, as the witnesses actually swore to them, as would at least put a just man on his guard if he could not take the trouble to investigate the whole matter for himself.

Z. B. VANCE.
B. F. JONAS.
JAS. L. PUGH.
ELI SAULSBURY.

APPENDIX.

MEMORANDA OF TESTIMONY TAKEN BEFORE THE SUBCOMMITTEE OF THE COMMITTEE ON PRIVILEGES AND ELECTIONS OF THE UNITED STATES SENATE BETWEEN FEBRUARY 14, 1884, AND APRIL 15, 1884.

I.—Truth of the Danville circular.

1. James Wood, p. 957, as to market.
2. S. A. Goodwin, p. 877, as to negroes' conduct on street.
3. J. C. Wright, p. 898, as to negroes' conduct on street.
4. Green Williams, p. 948, as to market.
Green Williams, p. 948, as to rudeness on street.
Green Williams, p. 950, as to market.
5. H. E. Barksdale, p. 976, as to rudeness on street.
H. E. Barksdale, p. 977, as to market.
6. W. N. Ruffin, p. 998, as to conduct of negroes on street.
7. S. L. Dance, p. 1053, as to same.
8. B. F. Walker, p. 1072, as to rudeness on street.
9. Wm. A. Moorman, p. 1084, as to market.
10. B. F. Wheatley, p. 1109, as to rudeness on street.
B. F. Wheatley, p. 1110, as to market and rudeness.
11. J. D. Blair, p. 1186, as to city council.
12. Thomas Fricher, p. 1271, as to rudeness on street.

II.—Premeditation.

1. Of whites, none.

1. James Wood, p. 954.
2. P. B. Boothe, p. 832.
3. W. J. Dance, jr., p. 852.
4. C. H. Norton, pp. 884, 885.
5. J. I. Pritchett, p. 890.
6. Charles H. Conrad, p. 925.
7. Green Williams, p. 945.
8. James Wood, p. 955.
9. Wm. A. Moorman, p. 1085.

Conduct of whites prior to the time of riot.

2. Of blacks, proof of.

1. L. L. Bass, p. 882.
2. C. H. Norton, p. 884.
3. George W. Swain, p. 893.
4. Green Williams, pp. 940, 942, 945.
5. Roger A. Prior, jr., p. 1080.
6. William A. Moorman, p. 1087.
7. Frank Corbett (colored), pp. 1033-35.

III.—Negroes outnumbering whites, and angry.

1. P. B. Boothe, p. 829. Numbers.
P. B. Boothe, p. 830 (top and middle of page). Conduct of negroes.
P. B. Boothe, p. 839. Mad and threatening.
P. B. Boothe, p. 841, p. 831. Danger to whites.
2. W. J. Dance, p. 849. Conduct of negroes.
W. J. Dance, p. 852. Self-defense of whites.
3. John D. Fickler, p. 864. Stubbornness of negroes.
4. W. A. Meeks, p. 870. Danger of whites.
5. Jas. I. Pritchett, p. 889. Language of negroes.
Jas. I. Pritchett, p. 890. Self-defense of whites.
6. George W. Swain, p. 894. Danger of whites.
7. R. L. Osborne, p. 907. Language of negroes.

III.—Negroes outnumbering whites, and angry—Continued.

8. J. P. Taylor, p. 911. Negroes angry.
9. Chas. H. Conrad, p. 922. Whites justified in firing.
10. Walter Holland, p. 931. Numbers.
11. B. F. Williamson, p. 964. Self-defense of whites.
Aaron Pointer, Self-defense of whites.

IV.—Negroes with arms and firing them :

1. W. A. Cook, p. 969. Firing on both sides.
 2. P. B. Boothe, p. 830. Saw negroes with pistols.
 3. P. B. Boothe, p. 836. Sold pistols to negroes.
 4. P. B. Boothe, p. 834. Names negro with pistol.
 5. P. B. Boothe, p. 830. Saw negro with pistol.
 6. W. J. Dance, jr., p. 849. Both sides firing.
 7. W. J. Dance, jr., p. 850. Negroes aiming at whites.
 8. W. J. Dance, jr., p. 853. Twenty-five or thirty pistols among negroes.
 9. J. D. Ficklin, p. 864. Saw blacks with pistols.
 10. W. A. Weeks, p. 871. Saw blacks with pistols.
 11. L. L. Bass, p. 881. Saw two negroes shoot.
 12. C. H. Norton, p. 884. Negro workmen having pistols.
 13. J. J. Pritchett, p. 889. Negroes with pistols.
 14. J. E. Powlinson, p. 899. Saw negro shoot.
 15. T. J. Thompson, p. 903. Saw negroes with pistols.
- See pp. 908, 913, 921, 931, 934, 940, 959, 963, 1059, 1068, 1073, 1237, 1238, 1242, 1243.

V.—Firing by whites no longer than necessary :

1. P. B. Boothe, p. 831.
 2. P. B. Boothe, p. 846.
 3. W. J. Dance, jr., p. 857.
 4. Jno. D. Ficklin, p. 868.
 5. Chas. H. Conrad, p. 922.
- Time firing continued, Boothe, p. 831, one-half minute.
Time firing continued, Conrad, 10 seconds, p. 922.

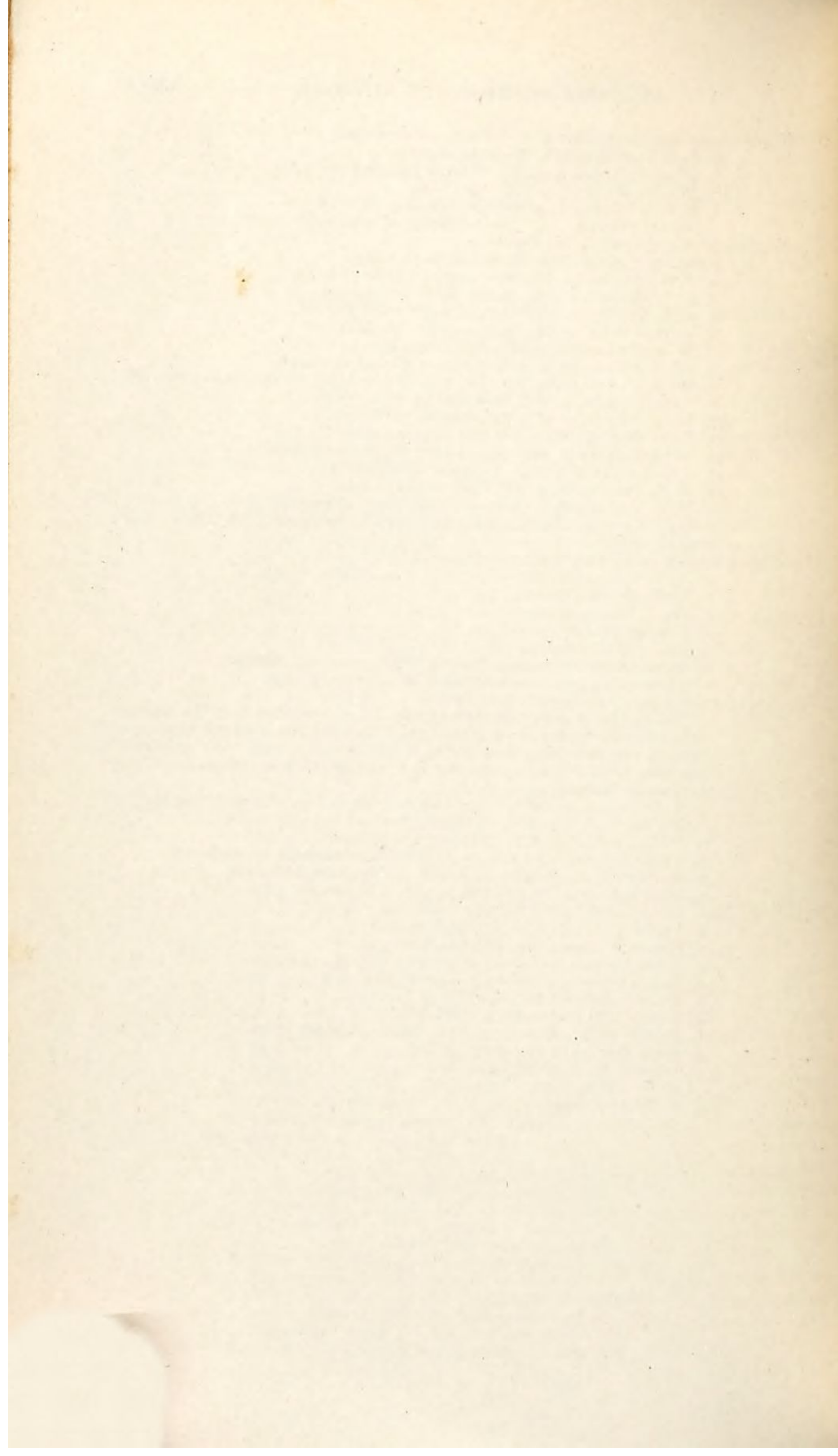
VI.—Negroes not voting on day of election :

The strongest argument to support the proposition that the negroes failed to vote under the instruction of their leaders, and not because of fear, is the fact that they polled a full vote at "Wimbish's precinct," one mile from Danville, and did not vote at "New Design precinct," four miles distant.

1. A. Wimbish, p. 1068. One-half mile from Danville to "Wimbish's," and four miles to "New Design precinct."
2. P. B. Boothe, p. 832. All could vote freely.
3. Ches. Ingram (colored), p. 1055. No interference by whites.
4. Aaron Pointer (colored), p. 1062. Order from leaders.
5. Walter S. Winters (colored), p. 7. No intimidation.

VII.—Ostracism of Democratic negroes by their own race :

1. Violet Keeling (colored), pp. 188, 189.
 2. Green Williams, pp. 940, 941, 942.
 3. Ches. Ingram (colored), p. 1055.
 4. Aaron Porter (colored), pp. 1060, 1061.
 5. Cornelius Worock (colored), p. 1107.
 6. Henry Hill (colored), p. 1021-1023.
 7. Edwin Hill (colored), p. 1026, 1027. (Cooper Price.)
 8. Jesse Hargrave (colored), p. 1031, 1032.
- General W. C. Wickham
— Dezendorf.
P. B. Armistead, p. —.



TESTIMONY

IN REGARD TO

ALLEGED ELECTION OUTRAGES AT DANVILLE, VA.

BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON PRIVILEGES AND ELECTIONS OF THE SENATE, CONSISTING OF SENATORS SHERMAN (CHAIRMAN), LAPHAM, AND VANCE.

WASHINGTON, D. C., *February 14, 1884.*

WALTER S. WITHERS sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Danville, Va.

Q. What is your occupation there?—A. Do you mean has been, or now?

Q. Now and has been?—A. I have been a policeman for eighteen months up until the 1st of January.

Q. Were you in Danville at the time of the recent election and on the 3d of November?—A. Yes, sir.

Q. I wish you would state now, in your own way, what you saw of the riot which preceded the election. State it just as you saw it, and the incidents as they occurred.—A. Well, sir; on the 3d of November, 1883, at half past 3 o'clock, a disturbance was created on the street, at first, but I was not at the fist fight. I saw a crowd gathered on Main street right in front of Market street. I went down to where the crowd gathered, and when I got down there, to the fist fight, it seemed some policemen had separated them.

Q. Who was the fight between?—A. Between Mr. Noel and Hense Lawson.

Q. Proceed now with your statement.—A. I did not see the fight between Mr. Noel and Hense Lawson; when I got down where the crowd was they had separated; then when I got down there, there was a large crowd on the street, colored people and white people, and I, being a policeman, tried to get the crowd to leave or disperse, and everybody seemed to be excited from the fight, and I advised them to leave. The colored people was kind of in the middle of the street, white people on the sidewalk, on the pavement; I persuaded them or tried to persuade them to leave there, and they were kind of slow about it, and they were disposed to look on at the fist fight that occurred. The white people was on the sidewalk, and it seemed all I saw had pistols in their hands, all the white people.

Q. Well, how was it with the colored people; were they armed or not?—A. They were not armed; I never saw any colored person that had a pistol in his hand.

Q. What was said and done by you and by them?—A. I advised the

colored people to leave there; I saw the white people were armed and they might get hurt. That was my advice to them, that they had better leave there; they seemed to be kind of slow in moving, and the white people on the sidewalk kept saying: "Now, if you all want anything, you can get it, and somebody said:" "Now, if you don't leave here, you'll get hurt;" and I did all I could to make them leave, and they seemed to be kind of slow, and I stepped to the lower end of the white people, and a few minutes after that the white people fired their pistols.

Q. Who fired first?—A. The white people fired first.

Q. Well, what individual fired; do you know?—A. I could not tell; they all fired at the same time, a number of shots were fired at the same time.

Q. Go on and finish your statement; the white people, you say, commenced firing?—A. Yes, sir; they commenced firing, they made the first fire; that is, they fired first; and when they first fired, as the streets, of course, were crowded with white and colored, they did not shoot directly at the colored people the first time, they kind of shot up over them on the first round.

Q. Fired in the air?—A. Yes, sir; because the streets were mixed with white people and colored people.

Mr. VANCE. Never mind your inferences. Just state facts.

The WITNESS. And then they commenced to fire in every direction. The colored people scattered in every direction, and each corner they turned they shot at them.

By the CHAIRMAN:

Q. Did the colored people fire?—A. No, sir; they did not fire that I know of. I am glad you asked that question, because I have been misrepresented in that committee of forty just on that point there.

Q. You did not state that the colored people fired?—A. I did not state that the colored people fired; they misrepresented me through the papers.

Q. Now, you are under oath; do you state to us that the colored people did not fire?—A. Yes, sir; not that I know of.

Q. Was there any more firing after that; the first firing, you say, was in the air?—A. Then they commenced firing in every direction; whenever they would see the colored people they would shoot at them.

Q. How long did this firing continue?—A. It did not exceed five minutes; about five minutes I suppose.

Q. The colored people retreated?—A. Yes, sir; retreated in every direction.

Q. How many persons were shot on that occasion? How many were killed, and how many shot?—A. At the place where they commenced firing only one got killed right there; there were several wounded, but they killed one instantly.

Q. What was his name?—A. Jerry Smith.

Q. Who were wounded?—A. A man by the name of Peter Walters was one of the men wounded.

Q. Did that man die?—A. Yes, sir; he lived about nine or ten days.

Q. Who was the next?—A. The next one that got wounded was Hathman King; he got wounded in the neck. A man by the name of Reuben Owen; he got shot in the face; he lived, I think; his home was not in Danville. There were several wounded; I do not recall their names now. Then there were two men up above, where I was, got killed; one by the name of Ed. Henderson; one by the name of Hall. There were three men killed during the five minutes.

Q. Now let us go back to the shooting. You say you saw white men shooting. What did they use, pistols or guns?—A. They had pistols.

Q. Who did you see shoot?—A. I can name some of the men that I knew.

Q. Just name them.—A. Mr. George Lee was one of the men that shot; Mr. Ned Hatcher and Captain Graves.

Q. State any other that you saw yourself firing a pistol.—A. I saw a man by the name of N. P. Jordan shoot toward the colored people; then there are several gentlemen that I am not acquainted with who shot. I didn't know them all. I have just named some of the gentlemen. I was at the lower end of them.

Q. Others that you do not name you do not know?—A. No; I know their faces, but can't tell their names.

Q. You said a moment ago that the report of the committee of forty was in error. What was that?—A. That was in my saying that there was firing on both sides.

Q. You did not say that?—A. No, sir.

Q. What do you say now; did you see any colored person having arms or firing?—A. No, sir; I did not.

Q. Was that a crowd composed of men only, or men and women?—A. Well, women and children were in the rear; men were in the street, and women on the opposite side of the street.

Q. How about the white people; were they crowded in a group?—A. They were formed in a line on the pavement.

Q. What do you mean by a line; formed in regular line?—A. Yes, sir; for instance, this [illustrating] is Main street, and there's the pavement, and here are the colored people right near the center of Main street, or near the neighborhood; here is the gutter along here, and there's the white people on the sidewalk.

Q. They formed on the line of the curb there?—A. Yes, sir; and had pistols in their hands. Every one I saw had pistols.

Q. At what streets did this occur; what streets in Danville; was it on Main street?—A. On Main street.

Q. One of the cross streets. Was it near Market?—A. Yes, sir; near Market street. That leads across from Main.

Q. Is that the central part of the town, well built up?—A. Yes, sir, well built up; right in front of Woolfolk and Blair's insurance office.

Q. The line you speak of was on the line of the curb, then?—A. Yes, sir.

Q. And the colored folks were out in the street?—A. Yes, sir.

Q. Where is Woolfolk and Blair's store?—A. That is about half a block above the opera house.

Q. Well, where was that firing?—A. Right in front of Woolfolk and Blair's office.

Q. What effect had this riot and shooting upon the election?—A. It scared the colored people so they would not vote the next day. They were afraid to go to the polls.

Q. What day of the week was the firing on?—A. The firing was on Saturday. The election was on the 6th.

Q. And the election was on Tuesday?—A. Yes, sir.

Q. How was it with you, did you vote or not?—A. I did not vote.

Q. Why did you not vote?—A. Well, it was understood; all the colored people told me not to vote. I was afraid to go to the polls, and would not vote.

Q. You say you were constable or policeman till the first of January?—A. Yes, sir; I was on eighteen months.

Q. When you ceased to be a policeman were you removed or what?—
A. Yes, sir, I was removed.

Q. I will ask you whether any of those who fired upon the colored people that day, were they arrested?—A. No, sir, not one.

Q. Were any of them afterwards put on the police force or made constables or the like?—A. Yes, sir; the same men that were in the riot shooting were on guard that night; put them on guard that night all over town on the corners of the streets.

Q. Who appointed this guard?—A. I suppose the sheriff of the town.

Q. Who of those who participated in the firing were put on guard?—
A. I think Mr. George Lee was one of the men, and a man by the name of Joel Oliver. I suppose he was one of the men. Nearly every man who I saw that had a pistol or gun was put on. You know after the shooting nearly every man had pistols and guns; the streets were thronged then with men with guns.

Q. Joel Oliver is one of the names you give?—A. Yes, sir.

Q. Who is he?—A. He is a lawyer.

Q. What connection had he with a military company, or otherwise?—
A. He was a lieutenant, I think, of a military company. He was either captain or a lieutenant.

Q. Where were the Democratic meetings held at that time?—A. They had called a meeting there at half-past 2 o'clock at the opera house; at half-past 2 o'clock that same day.

Q. Did they ever hold their meetings in the armory?—A. They generally held their meetings—meetings nearly every night for two months—in the armory, but that evening they had a little pamphlet printed to have a meeting at half-past 2 o'clock at the opera house.

Q. What is the name of the company that met at the armory?—A. The Danville Grays.

Q. Who are the officers of that company?—A. Mr. Noel.

Q. Who was captain?—A. Mr. Noel was captain, I think.

Q. Who were the lieutenants and sergeants?—A. Mr. Calls was one of the lieutenants. They have changed officers here lately, and I do not know.

Q. I speak of that time, not of now.—A. They have changed officers, and I do not recollect now who are the officers, all of them. I think Mr. Noel was one of the captains and Mr. Calls.

Q. You say that the colored people did not vote at the election?—
A. No, sir.

Q. Why did they not vote?—A. They were afraid to go to the polls.

Q. You said, as I understood you, that word had gone around that they were not to vote. What do you mean by that?—A. I mean by that they were all afraid to go to the polls, and there was no use in bucking and going unless all go, and it was understood that they would not go; they said they were afraid to go.

Q. Where did you get this understanding from that you were not to vote?—A. I asked several colored people and most of them that I saw, if they were going to vote, and they said no; that is where I got my information, and I did just as they did; asked them, and they said they were afraid to go to the polls.

Q. And that was the reason, then, why you did not go?—A. Yes, sir.

By Mr. VANCE:

Q. Can you read and write?—A. Yes, sir; I can read and write a little.

Q. Did you write your affidavit made before the committee of forty?—
A. No, sir; I did not.

Q. Who wrote it?—A. I think lawyer Bowen was secretary for the committee of forty; F. F. Bowen.

Q. Who took down your affidavit as you dictated it?—A. Mr. Bowen.

Q. You signed it, did you?—A. Yes, sir; I signed it.

Q. Did you read it before you signed it?—A. No, sir; I did not read it over; they kept it themselves. I was just sitting there as I am sitting now. I signed it and did not read it at all.

Q. Did any one read it to you?—A. Yes, sir; Mr. Bowen read it over to me, I think.

Q. Did you tell them it was not right?—A. Yes, sir; they did not read it to me like they printed it; it seemed they added something to it.

Q. They did not read it as printed?—A. Yes, sir; that is men on both sides shot; I didn't put that there.

Q. Those gentlemen put up a fraud on you?—A. Yes, sir.

Q. Is not Mr. Bowen a respectable man?—A. Yes, sir; he is a nice gentleman; I always took him to be.

Q. What position does he hold, justice of the peace or notary public?—A. Notary public.

Q. Who appointed him notary public?—A. I don't know; I think he was appointed by the town.

Q. Was he appointed by the governor of the State?—A. Yes, sir; I guess so; he is notary of the corporation and county I think.

Q. Now, where did this riot take place; whereabouts in the town; describe it for us?—A. It all occurred about near the same place. The first fighting occurred just a door below I think Mr. Woolfolk & Blair's office. The first of it occurred right there, and all occurred near the same place.

Q. How far is that from the opera house?—A. That is nearly half block from the opera house.

Q. Do you say when you first got there that the fist fight was over?—A. Yes, sir.

Q. That had occurred between Mr. Noel and Mr. Lawson?—A. Yes, sir.

Q. How many white people were there when you got to the ground?—A. When I first got there as near as I can get at it, I think there were about twenty-five or thirty white persons.

Q. Where were these standing, in the street or on the walk?—A. Standing on the sidewalk.

Q. With their backs to Woolfolk & Blair's office?—A. Yes, sir.

Q. And where were the colored people?—A. In the middle of the street.

Q. How many of them were there?—A. Between seventy-five and one hundred.

Q. Now, those few white men there were all together, were they not?—A. Yes, sir; all together.

Q. All in a lump or bunch?—A. Yes, sir.

Q. Well, the colored people being more numerous then, they were all around on each side except the rear?—A. Yes, sir; all around except in the rear; they could not get around.

Q. Could not get between them and the house?—A. Yes, sir.

Q. Now, you say you saw no pistol in the hand of any colored man?—A. No, sir; I did not.

Q. Did you hear any firing in the colored men's ranks?—A. I did not.

Q. None at all?—A. The first firing they all scattered.

Q. None of them shot as they went?—A. Not as I know of; I never saw any.

Q. Was there any white man wounded?—A. Yes, sir; Mr. Walter Holland.

Q. Was he standing in this group, on the sidewalk, in front of Woolfolk & Blair's office?—A. He was when I saw him, but where he got shot I could not tell exactly.

Q. Did you think the white people shot him?—A. I do not know; but from what I was told by the colored men, and from where the colored men were standing, I should say he was shot by a white man.

Q. Colored men told you that?—A. Yes, sir.

Q. You know that is not competent testimony, don't you?—A. Yes, sir.

Q. Did you, during the course of that riot, try to disperse the crowd?—A. Yes, sir; I did my very best.

Q. What did the people say to you when you tried to get them to go off?—A. Well, I walked up and down the line of the colored people as I suppose I understood them. I saw that the white people were angry, and, by the way, they waved their pistols, I knew there was something to be done, and I required the colored people to leave there. One of them said, "I don't care to go away; I don't want to be run over," or something like that, and I left them.

Q. Did any other parties beside you try to get them to disperse?—A. Yes, sir.

Q. Who were they?—A. Mr. Jeff. Corbin was one of the men who did his best.

Q. Is he a colored man or a white man?—A. White man; a Democrat.

Q. He tried to get them to disperse?—A. Yes, sir.

Q. What did they say to him?—A. Well, they did not seem to regard him much; stepped back a little, but didn't go away.

Q. Did they say anything to him?—A. Not as I heard of. I never heard them say anything. Then Robert Adams, he is another colored policeman that was on. He tried to get them to disperse. He was on the lower end with me; he tried to get the whites and the colored people to disperse, and they wouldn't do it.

Q. Did any white man in the crowd say to the colored people, "If you do not disperse here some of you will get hurt?"—A. Yes, sir.

Q. Will you give us his name?—Mr. Peter Booth, I think he is one. There were two men made that remark. Mr. Hatcher made that remark, also. He said "If you do not leave here, you will get hurt," or something like that.

Q. You say that the first shot the white folks shot in the air?—A. Yes, sir; they did not shoot directly, they just kind of so [indicating] fired up, and then commenced pulling down at them.

Q. Now, in your affidavit, you say "The white people shot up in the air at first as if to scare the colored people away. Then the firing seemed to be on both sides, right at each other."—A. Yes, sir; that is where they misrepresented me. I did not say that.

Q. Well you heard it read over?—A. Yes, sir.

Q. But you say they did not read it correctly?—A. Yes, sir.

Q. How long has this statement of yours been published?—A. That came out shortly after I went before the committee of forty; I forget now.

Q. That is some months ago?—A. Yes, sir; it came out shortly afterwards. They had it printed as soon as they made it.

Q. Did you come out in the papers and deny it?—A. I did not come out in the papers there, but I went before Colonel Raulston there to contradict it in a direct way. I contradicted that in the papers but they would not print it in the papers there. They put it in the Washington Post and the Richmond Whig and several papers, but would not put it in the papers in Danville. Lawyer Harrison has papers in his office now where I contradicted it.

Q. Were you afraid to vote; was that the reason why you did not vote?—A. No, sir; to tell the truth, I was not afraid to vote, but just would not vote because I did not think it would amount to anything.

Q. Where did those orders come from which you all got not to vote?—A. I do not know. Different colored people asked me, and it was general news among the colored people that they were not going to vote. They said, “We are not going to vote to-day.”

Q. Well, they did vote in some parts of the county, didn't they?—A. Yes, sir.

Q. They voted in every precinct except the town of Danville and New Design?—A. Yes, sir.

Q. Did you hear of any intimidation or violence offered at the polls anywhere in the county where they offered to vote?—A. What do you mean; offered to pay them not to vote?

Q. No; was there any intimidation or violence offered?—A. No; I did not hear of any.

Q. You did not hear of any at all?—A. No, sir.

Q. Were there not efforts made everywhere through Danville to make pledges by the authorities that they would not be interrupted?—A. There was after that shooting.

Q. Who made those pledges?—A. There was a lot of bills printed and sent out among the colored people signed by Mayor Johnson and several other gentlemen; I cannot think of their names now.

Q. Well, they could have voted that day if they wanted to without any disturbance, could they not?—A. According to my judgment, I thought they could.

Q. You say there were no arrests made?—A. No, sir; none that I know of.

Q. Who had possession of the offices of the town; who were your town authorities?—A. I think Mr. Wood, sergeant-at-arms, had charge of it.

Q. Who was he?—A. Mr. Wood; we call him Captain Wood.

Q. What were his politics?—A. He is a Readjuster.

Q. What was the name of the judge of the hustings?—A. Blackwell.

Q. What were his politics?—A. Readjuster.

Q. What were the politics of the police officers of the city?—A. Nearly all the police were Readjusters; not all of them, but nearly all.

Q. What was the politics of the town sheriff, as you call him?—A. He was that Captain Wood, you mean?

Q. You spoke of the town sheriff. I did not know there was such an officer; you said the town sheriff appointed some of these rioters on guard that night.—A. I meant by that the sergeant-at-arms.

Q. Well, he was a Readjuster also?—A. Yes, sir.

Q. Now, it was not the fault of the Democrats that there was no arrest made, was it, if all the officers were Readjusters?—A. I don't know.

Q. Now, you were a policeman; why did you not arrest some of

them?—A. We were powerless then; we policemen could not show our authority.

Q. Well, when order was restored, when the military companies turned out and the mayor took possession of the town and everything, why were not arrests made then; why did not you do it?—A. I was afraid.

Q. You were afraid?—A. Yes, sir.

Q. You say some of these men who were in the riot were appointed to keep guard that night?—A. Yes, sir.

Q. And they were appointed by Major Wood, the sergeant-at-arms?—A. I suppose so; he was the man who had the town in charge.

Q. Some of the patrol were shot that night, were they not?—A. No, sir; I do not think they were.

Q. Was not a man by the name of Hubbard shot that night while patrolling the town?—A. Yes, sir; at the bridge above the town.

Q. Who shot him?—A. I could not tell you that.

Q. Did not they arrest a man for shooting him?—A. Yes, sir; they picked up a colored man who they thought did it, named Coleman, I think; they arrested him. I do not think they did anything to him; they took him; thought he was the man, or something of that kind.

Q. At all events there was a man shot while patrolling the town?—A. Yes, sir; there was a man shot there.

Q. You say the colored people, some of them, told you when you were trying to disperse them that they did not intend to be run over?—A. Yes, sir; some of them said they did not intend to be run over. I didn't know who they were. I just passed on.

Q. You say in your affidavit here that you saw white men trying to persuade colored men to vote, and promising to go with them to the polls and protect them to vote?—A. No, sir; I say the colored men told me that the men that they were working for tried to advise them to go to the polls, and if they were afraid they would go with them.

By the CHAIRMAN:

Q. You say to Senator Vance that you made efforts to disperse the crowd; what efforts did you make; what did you do?—A. What I meant by that, I tried to get them to leave; go on about their business.

Q. That is, you talked to them?—A. Yes, sir; I mean I talked to them; tried to persuade them. I can prove that I went all among them to tell them they had better leave. I remarked myself that they might get hurt.

Q. What did you say to the white people?—A. I did not say anything to them at all.

Q. What did you do when the firing commenced?—A. When the firing first commenced—I saw before the white people commenced firing that there was something going to be done—I stepped on the sidewalk at the lower end of the people. By the time I got at the lower end of them the firing commenced, and after it got pretty hot, the balls got pretty wild, I stepped into Woolfolk & Blair's office.

Q. You had no power to resist, as you supposed, the force against you?—A. No, sir.

Q. Senator Vance asked you where the orders not to vote came from?—A. Yes, sir.

Q. Did you receive any orders from any one?—A. No, sir; I did not receive any orders from any one at all.

Q. What you mean, then, is that you were told by colored people that

they would not vote; no use to vote?—A. I just meant by this that all I asked were not going to vote; they said they were not going to vote, and I didn't vote.

Q. Did you know or learn from them of any organization not to vote?—A. No, sir.

Q. Any agreement not to vote?—A. No, sir. I did not know of anything of that kind.

Q. It was because you thought it was useless and afraid to vote that you didn't vote?—A. Yes, sir; I thought it was useless. I was not afraid.

Q. After the riot was over, after the crowd was dispersed, was there any further disturbance caused by firing of pistols or the like?—A. How do you mean?

Q. After the firing, after the killing there, during that following night was there any further disturbance, firing of pistols in the air or anywhere?—A. Not that I know of, only the killing of Mr. Hubbard.

Q. One of the patrolmen was fired on?—A. Yes, sir.

Q. And Mr. Coleman was arrested on suspicion?—A. Yes, sir.

Q. Was there any other arrest that day?—A. No, sir; not that I know of.

Q. What became of the charge against Coleman; was he tried?—A. I think they did, but I don't think they did anything with him.

Q. It was not prosecuted, then?—A. No, sir.

Q. And there was no other arrest made that evening?—A. No, sir; not that I know of.

Q. You stated awhile ago that some of those whom you mentioned as having fired upon the colored people were members of the military company that was called out that night. Who of them was members of the company?—A. I do not know but Mr. Oliver, who was some kind of an officer—captain or lieutenant; he is one of the military company, I know.

Q. How soon was this military company called out after the affair or riot?—A. They were called out just about dark—just before sundown.

Q. How long afterwards—an hour?—A. Yes, sir; about an hour.

Q. That military company is composed entirely of white people, I suppose?—A. Yes, sir.

By Mr. VANCE:

Q. Who called out that company?—A. I think the sergeant-at-arms had the town in charge, and I think they told me that Mr. George Cabell did it.

Q. Had he any authority to order out the military company?—A. I do not know whether he did or not; I think he did.

Q. You say he ordered them out; you swear to that, do you?—A. He was one of the men, I understood, that ordered them out.

Q. Do not you mean to say he was one of the men who asked that they should be called out?—A. Yes, sir; something of that kind.

Q. Did not the sergeant-at-arms call them out—the sergeant of the town?—A. Yes, sir; he is the man that called them out.

Q. And they were put under his control, were they not?—A. Yes, sir.

Q. Were you before the grand jury?—A. Yes, sir.

Q. Did you swear before the grand jury that this affidavit was not correct?—A. Yes, sir; they didn't ask me any questions—

(The chairman objected to the witness testifying as to what occurred before the grand jury.)

JACK REDD sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live to the north of Danville about three miles.

Q. How long have you lived there?—A. Where I am now living?

Q. Yes. How long have you lived in that region?—A. About thirteen years.

Q. I wish you would, in your own way, go on and state what you saw of what occurred on the 3d day of November last, at the time of the Danville riot. Tell your own story in your own way.—A. I was chairman of the committee ever since the colored men had been allowed to vote.

Q. That is the Republican committee?—A. Yes, sir. On Saturday I came over to town to see Colonel Sims, and did see him when I got there. I had heard of the speech he made on Friday night, and some very heavy threats made about him. Well, I would not rest contented until I seen him; in fact, I did not know how I should do until I saw him, or at least I found him; came up in his room and had a long conversation with him, and probably it was between 12 and 1 before he got off. Well, I had a curiosity to see him get off, being there was such threats made about him. Well, he got off. I then goes down the street to Mr. Jeems Aker's store—down near the bridge; I was not anyways interested or disturbed about nothing, as I thought. Well, in about two hours—between 2 and 3 o'clock—they said there was some persons firing up street. Well, I knew it was a common thing to be done in Danville and no excitement made, and I went up. I goes up the street, and on the right-hand side going up sees a man standing in an office door with a gun pointing right up, and I commenced looking around. I was not used to such as that; I looked then, taking a certain view of them all. It seemed then that the white people from near about the square had run across the market near the Arlington, and had formed a line.

Q. On Main street?—A. Yes, on Main street, while the colored people then were standing in the middle of the street, I guess, and one man's hand was bleeding, by the name of George Adams. Says I, "George what's the matter," and he says, he called the man's name but I forgot it, shot him or cut him one in the hand, and by this time I commenced to look around to see what it was, and I never could find out. The white people had formed a line on the right-hand side; I was looking at every one, and the colored people was now in the middle of the street. I never persuaded nobody to go away nor nothing, but presently I heard a man speak to the top of his voice. What he said I cannot tell. Then he fired on us and I run, run over a wheelbarrow and everything right down to the market. Well, after the firing was over I came walking back up the street with my hands in my pockets. To tell the truth I was not noways scared, but I met Colonel Cabell right at the market. Says he, "Where are you going?" Says I, "I am walking up the street." At this time Ned Hatcher and another man, I don't remember who it was, came up, and Hatcher asked who is it. He says, "It is this d—d scoundrel." He says, "Damn him, let me blow his d—d brains out." He says, "No, let the d—d scoundrel get out of town as fast as possible. This is what I've been telling you for the last ten years." He struck me right here [indicating face], and I whirled and run again. They commenced firing at me again and I run down to the corner of the market, and by that time they got to firing by me. Just as I got there, and I found out they were firing at me

they quit. I lost the hat off my head and I goes back for my hat and some of the colored people says, "Where are you going; they will kill you." I never said a word, but picked up my hat and went down Main street to make my escape.

Then, when I went down Main street I goes on across the river trying to get away from Danville. I meets Mr. Tom Lee in his two-horse buggy with two bags of pistols; he said they were. Now, he didn't open them and show them to me; that is the remark, he said he was tired of the Danville business, and looked right in my face, and if we didn't get away from there what they were going to do; and then I goes on, and Monday morning, right soon, I thought I would walk back over there to see what occurred. Tuesday was election, and I wanted to get my tickets. Near the town I met Captain Walker. He says to me, knowing me very well, "Jack, will you take a fool's advice?" Says I, "Yes." He says, "Don't you go to town; they have got you spotted." Says I, "Captain, I would no nothing to nobody in the world." Said he, "Never mind." Then the Tuesday comes of the election. I was always at the polls at 6 o'clock. I goes in the street there at my house, and to my certain knowledge they come out then about 150 voters, and this time they came up they were all consulting one another about going to election. It was a thing I hadn't never seen; the men that day walked on to election with guns as if they were going to war. I thought and we consulted one another not to go there under that circumstances. While we were standing there Mr. Walker came along and tried to persuade us to go. I reckon there was about two hundred gathered together at that time, but while he said there was no danger, and right there we counted five guns going right on up to the election. Says I, "Captain, you see yonder. We are not after this. We have got no protection. I cannot go up and face a bull that way." Then he rode off from us. I was afraid when I saw those guns. I don't deny it to nobody. I was afraid of the guns.

Q. Now, is there anything more you want to say in your own way?—

A. Nothing more that I know of.

Q. It was Mr. Edward Hatcher who first attacked you, was it?—A. Me and Colonel Cabell was talking.

Q. You and Colonel Cabell were in conversation?—A. Yes, sir; and Mr. Ned Hatcher came over and asked who was that, and he says, "Let me blow his damned brains out." Colonel Cabell said "Don't do it; don't kill the damn scoundrel; let him go home; let him get out as soon as possible;" and they fired on me then, clear down Market.

Q. Name, if you please, citizens that you saw in the crowd, among the white people who fired; who they were, so far as you know.—A. I do not know any particular individual at all, because when I went up there I was not expecting anything of that sort. I was not studying about that.

Q. The firing in the air was begun before you came up, was it?—A. No, sir; there was not a gun fired before I got there, and the first gun I heard fired I made my escape—don't know whether they fired in the air or not.

Q. Who was with Colonel Hatcher when you came up?—A. I don't know; there was two of them run across to Colonel Cabell and me standing on the market. I have thought they came across to attack Colonel Cabell. I had my hands in my pocket as if there had nothing been heard at all.

Q. Did you see Mr. G. G. Covington at that time?—A. Yes; he was there. I didn't see him shoot at me, but I saw him right there.

Q. Did you see Mr. Reagan there?—A. No, sir; I didn't know him.

Q. You say, if I understand you correctly, that on the day of the election, you, as chairman, were expected to be there at 6 o'clock?—A. Yes, sir.

Q. And that you went?—A. I didn't go.

Q. But you started to go?—A. I had gotten out in the road, in the street from my house, and, when I got there, I met a large squad; the people were excited. I had taken it for granted that we would consult.

Q. Was that crowd composed of colored people or white people?—A. They were colored people that I was going with, but then it was right along the public road, and where all the white people went.

Q. How far is this from Danville?—A. About 3 miles.

Q. The same voting precinct?—A. Yes, sir; the white people came on that morning, and I know it was not usual to carry guns to election. They every one came on with guns and breech-loaders and pistols, and they went on to Danville to my certain knowledge.

Q. They went there Monday and got the guns?—A. Yes, sir.

Q. And they went back Tuesday with guns in their hands?—A. They did, in the neighborhood of that precinct. They carried the guns home Monday night, and went to the precinct Tuesday morning with the guns.

Q. You said that when you went out and met this crowd of colored people you talked over the matter as to whether you should go.—A. Yes, sir.

Q. Did you receive orders not to vote from any one?—A. No, sir; no more than seeing these guns. I thought that was enough.

Q. That is, you made up your mind it was best not to go?—A. Yes, I did.

Q. And you and the other colored people talked about it?—A. We consulted each other about it.

Q. And then didn't go to vote?—A. Yes, sir.

Q. Was there any order coming to you of any Republican or Readjuster or anybody not to vote?—A. No, sir; but we had learned it was reported that if we went there what they would do, and it was better that we should stay away.

By Mr. VANCE:

Q. Were you at the election grounds at all on the day of the election?—A. No, sir; I was not; did not put my foot there.

Q. Where do you vote, at Danville or New Design?—A. I voted at New Design.

Q. What is generally the strength of the two parties at that precinct; how do they stand between the Democrats and Readjusters or Republicans?—A. I suppose that the two parties, each party I reckon, will work for one another. Is that what you mean?

Q. No; I meant to say how many do the white folks poll, and how many do the colored people poll?—A. I don't know anything about that, but I can tell you one thing, we were better consolidated at my precinct. I know nothing about it more than I could judge, but I know one thing that I had a large majority consolidated ready to go up.

Q. How large was the majority; how many more than the white people?—A. I forget what the list was. If I had thought of it I would have brought you the list and shown it. I forget what the list was this last time.

Q. Well, don't you think the majority could have protected themselves if they had wanted to that day?—A. If they had voted?

Q. Yes.—A. I didn't know nothing about that. We were willing to abstain for the very best of all purposes. I don't know anything about who would conquer, that was not my business. I wanted a fair show.

Q. When you first came into town on Saturday you saw a man pointing a gun in a door.—A. I didn't say that; I said when I came in town I came to see Colonel Sims in the morning and staid with him until between 11 and 12 o'clock, and when I got ready to go away I came out and saw Mr. James Ackers, and I staid there until about between 2 and 3. Can you understand? And some person said they were fighting up the streets. I walked on up the street very cheerfully. When I got up there I saw a very notable man by the name of George Adams. I went to him and said, "George, what is the matter?" He said, somebody had either cut him or shot him one.

Q. Is he a colored man?—A. Yes, sir; and I looked across the street to see if I could see where I was, and the white people had all got on the right it seems.

Q. Now tell us all about the man you saw pointing a gun in the door?—A. I don't know.

Q. Don't you know whose store he was in?—A. No, sir; it was an office.

Q. Well, couldn't you locate it; don't you know whose office it was in?—A. No, sir.

Q. You don't know the man?—A. I know the office, but I don't know the man.

Q. Describe the office, so we can find whereabouts it was located.—

A. It was just about between Jerry Nicholas's and the bank.

Q. What sort of an office was it?—A. It was just a little bit of an office.

Q. For a store or some other kind of business?—A. No store; it was just a little office.

Q. Which way was he pointing the gun?—A. Across the street.

Q. Toward whom?—A. No one. If he had shot it off then, it would have gone way up in the air. Then just as I was about turning to make my escape they fired on the crowd.

Q. Who fired?—A. I don't know. I never saw nobody with any pistols.

By the CHAIRMAN:

Q. Which side fired?—A. The right-hand side. I never saw anybody with weapons.

By Mr. VANCE:

Q. Neither white nor black? Did you see any colored man with a pistol in his hand that day?—A. I didn't; and I will tell you I don't know what I would have seen, if I hadn't been in the hurry I was. I was seeking for myself; I got out of the way.

Q. Now, where were these white people standing?—A. They were standing between the street that runs straight across from the market to the Arlington.

Q. Were they on the sidewalk or in the middle of the street?—A. On the sidewalk.

Q. Whose store were they in front of, or were they in front of somebody's house?—A. They were bound to be in front of some store, because the stores run all the way up the street.

Q. They had their backs against some building, and were standing on the sidewalk, and were facing the colored people in the middle of

the street?—A. I reckon they must have been or else they could not have shot that way.

Q. You saw no colored man with a pistol that day?—A. No, sir; when I went up there after passing through for about a second and speaking to Mr. Adams, this time the firing came on.

Q. You don't know who fired?—A. No, sir, I don't know.

Q. Where were you when you first heard the fight had begun?—A. I was away down to the lower end of the street.

Q. What street?—A. Main street, down to Mr. Acker's, way down near the bridge.

Q. Did you hear any firing there before you came up?—A. I never heard any firing at all. I just went up; there was a great multitude of people up there, and I saw them; they said they were fighting. I went on up there very cheerfully.

Q. Well, let us have your opinion as to the numbers there on the street; how many white men were standing in front of that store, and how many colored men in front of them?—A. Well, to save my life I couldn't tell you.

Q. To the best of your knowledge?—A. The Main street was crowded with colored right in the middle of the street, and it seemed to me that the sidewalk was the same with white; that is what I saw.

Q. Now, you saw Colonel Cabell there?—A. Yes, I did.

Q. Where were you going when you met him?—A. I was going up; I thought I would go and peep around and see what was doing.

Q. Was that the same day?—A. Yes, sir.

Q. Now did not Colonel Cabell give you friendly advice that you had better not go on the street where those excited people were?—A. Colonel Cabell was on the corner and when I went up we met right on the corner, and he says to me, "Where are you going." I says, "I am going up here." He says, "You had better get out of here as quick as possible, and this time the man run right up and said "Kill him."

Q. Colonel Cabell didn't say kill him, did he?—A. Colonel Cabell says "No, let him get out of here," but at this time Ned Hatcher struck me right here, and they fired on me in the market. There was not a single soul in the market but me.

Q. Who fired at you?—A. I don't know.

Q. Are you certain it was Hatcher?—A. No, sir; I saw some person did. I am certain it was Hatcher hit me.

Q. Did you know him before?—A. I know him. I have had dealings with him enough. I ought to know him.

Q. What other name did you mention in connection with this a while ago; some other man came up, you said, whom you didn't know; some other man came up with Hatcher?—A. Yes, sir.

Q. Didn't somebody give you his name this morning on a piece of paper?—A. No, sir; nobody aint give me no name.

Q. Where do you stop in this city?—A. Where do I stop; me?

Q. Yes, you.—A. I don't know what his name is; I haven't his name I know where his door is, though, when I get to it.

Q. Were you talked with since you have been here about this business?—A. I haven't talked to a soul, sir.

Q. Not a single soul?—A. No, sir.

Q. About these guns. You say that one reason you wouldn't go to the election was you saw men went into town and got the guns and came out Monday evening?—A. They did.

Q. You didn't know whether they took them to the election or not, did you?—A. They went up that way with them.

Q. You were not at the election the next day; you don't know whether the guns were on the election grounds or not?—A. I saw them going down the road with the guns.

Q. That day or the day before?—A. That day of election.

Q. Did they pass your house both ways?—A. They passed my house both ways. I live in three forks of the road.

Q. Is the election down or above you?—A. It is just up above me, from Danville.

Q. Well, men going home would not pass your house?—A. There aint nobody ever came from Danville the day of election. I am talking about the people at large around there.

Q. Did the neighbors at large around that township pass your house going to election?—A. Yes, sir.

Q. And did any of them have guns?—A. Yes, sir.

Q. Give me their names?—A. Well, I saw Mose Rullman Abbott.

Q. What sort of a gun?—A. I don't know what sort; it was a gun.

Q. You don't know what kind of a gun it was?—A. No, sir.

Q. He was going to the election?—A. Yes, sir.

Q. Any other names?—A. Not that I know of. I was down below the fork, but there was numbers of them went. Captain Walker was standing consulting with us.

Q. Who is Captain Walker?—A. Jim Walker.

Q. Is he a white man or a black man?—A. A white man.

Q. Democrat or Readjuster?—A. I don't know what he is.

Q. Was he trying to get you to vote his ticket?—A. No, sir; he was trying to get us to go to vote our own sentiments.

Q. Did he have a gun?—A. No, sir.

Q. What did he tell you?—A. He told us to go and he would assure us not to be hurt, and at the time he was conversing with us we counted five guns within one hundred yards of us, and says I, "Now look at there; I'm not going to be hurt."

Q. Who had those that you saw?—A. I didn't know who they were then.

Q. You don't know any?—A. No, not at that time.

Q. You saw them going on by, though?—A. Yes, sir.

Q. And they were going to election?—A. I know they were going to election.

Q. Or do you swear simply that they were going towards the election ground?—A. Sir?

Q. Do you swear they were gonig to the election, or towards the election ground?—A. I know they was going to the election; I believe they was; they was going that way, and was pretty close by the voting precinct.

Q. That is what I wanted to understand, whether you swear they were going to election, or going that way?—A. They were going that way. I know they were voters. They were men that I have always been seeing for the last——

Q. Were you afraid to vote that day?—A. Sir?

Q. You heard me, I think?—A. Was I afraid to vote?

Q. Yes.—A. If I hadn't been afraid to vote I should certainly have voted.

Q. What were you afraid of?—A. I was afraid of the same thing that occurred on Saturday.

Q. Notwithstanding that the white people, leading men, were there, and told you there was no danger, to go on and vote?—A. We had no leading men there.

Q. The leading men of the white folks, I speak of; didn't they vote in other parts of the county?—A. I don't know.

Q. Didn't they vote in every part of the county except Danville and New Design?—A. I don't know.

Q. Don't you know they voted at Wimbeshers?—A. I don't know.

Q. Didn't you ever see the returns?—A. Yes, sir.

Q. You are chairman of your party, you ought to know something about what they were doing; you heard they did vote at Wimbeshers didn't you, and the Republicans gave a large majority there?—A. Yes, sir.

Q. Is not that nearer to Danville than New Design?—A. I don't know.

Q. Oh, yes, you do?—A. No, sir; I don't; I don't know.

Q. How far is Wimbeshers from Danville?—A. I don't know.

Q. Have you never been to Wimbeshers?—A. Yes, sir.

Q. And you have been to Danville?—A. Yes, sir.

Q. And don't know how far it is; can you come within 40 miles of it?—A. I don't suppose, though I have not certain knowledge, there is much difference in the distance; not much.

Q. Well, is not Wimbeshers nearer than New Design?—A. I can't say that.

Q. How far is it from New Design to Danville?—A. Three miles—so said.

Q. Where does the mile-post stand at New Design?—A. Well, sir, I don't particularly know where it stands.

Q. You have seen that mile-post a hundred times?—A. I know, but I "mout" not have been paying any attention to it.

Q. But you "mout" have been paying attention?—A. No, but I haven't done it. Now, sir, if I was telling you where any mile-post was I would be telling you something that I don't know anything about.

Q. Well, you said these men were going to election, and you didn't know anything about it?—A. Well?

Q. Now, the mile-post has always been there, right at New Design?—A. I don't know whether it has or not.

Q. What is it marked?—A. I don't know.

Q. Isn't it marked "four miles"?—A. I don't know; I can't tell you.

Q. Don't you know that Wimbeshers is just one mile from the corporation of Danville?—A. No, sir; I hear people talking about miles this way and another, but I never know anything about it.

Q. Haven't you heard people say that Wimbeshers was only one mile?—A. No, sir.

Q. Haven't you heard that New Design was four?—A. No, sir; I was living up there not noticing any mile-post. I would say that was spoke, a mile from here to Danville.

Q. Did you ever hear any one of them speak who had noticed the mile-post?—A. They might have noticed the mile-post and told me, and that is where I get it from.

Q. You swear that you don't know that Wimbeshers is one mile from Danville and New Design four?—A. Yes, sir; because I don't know anything about that. I will testify to what I know.

Q. Where did you first hear that the colored people were not going to vote?—A. Where did I hear it? I never heard it nowhere; only they came there and was consulting about their troubles, and I think there they agreed to not go on and vote.

Q. Didn't you hear others had agreed so in town?—A. No, sir; that

was the day of the election. Nobody had no consultation with the Danville people out there. I know nothing of their agreement in town.

Q. You didn't see anybody in town that morning?—A. Tuesday morning?

Q. Yes.—A. No, sir; never saw a soul.

Q. Tell us what you heard when you came into town, about Mr. Sims's speech?—A. I heard that Mr. Sims had made a speech that night, and the Democrats said if he didn't take it back they were going to kill him.

Q. Did you hear what he said in his speech that offended the Democrats?—A. Not exactly; it was something, though, that was not correct; they deemed it not correct, but I don't know what the words were.

Q. You don't know anything about it?—A. No; only, I just heard they were going to make him take it back.

Q. You said you were uneasy about his getting off that day?—A. I said I went to see him off.

Q. You said you wanted to see whether there would be any threats carried out or not; that is what you said substantially?—A. No, I said I went to see him off.

Q. Why did you want to see him off?—A. Well, I was there with him, and I was there conversing with him; and of course I wanted to see him when he got off.

Q. Well, you saw him off, didn't you?—A. I did.

Q. Was there any violent demonstration?—A. No, sir.

Q. Nobody offered to interrupt him?—A. No, sir; nobody at all. I saw him when he got in his buggy.

Q. He drove right through the town?—A. Yes, sir.

Q. Nobody offered any interruption?—A. No, sir.

Q. Or insult?—A. No, sir.

Q. Then you felt relieved?—A. I went on down the street about my business as usual.

By the CHAIRMAN:

Q. The Mr. Sims to whom you refer was the Republican candidate for State senator, was he not?—A. Yes, sir.

Q. He was a white man?—A. Yes, sir.

Q. When did he make his speech?—A. On Friday night, I learned. I was not there at his speech.

Q. You understood Friday night, and this rumor about the Democrats taking offense at his speech you had heard and went to see him about it?—A. Yes, sir.

Q. If I understand you, the place of election in your precinct is somewhere between where you live and Danville?—A. No, sir; I am between my precinct and Danville.

Q. You live between the voting place and Danville?—A. Yes, sir.

Q. And were the voters going towards Danville or towards the voting precinct?—A. They were going up towards the voting precinct.

Q. That would be from Danville?—A. Yes, sir.

Q. You say the colored people did not fire?—A. No, sir; I never saw none fire.

Q. Did you see any one have a pistol?—A. No, sir; I did not.

Q. You say you saw pistols in the hands of white men on the opposite side?—A. Yes, sir.

Q. Was there any attempt to conceal them; did they have them in their pockets or hands?—A. They had them in their hands when I saw them; when I got up there the row had commenced.

Q. Had the colored people any weapons in their hands?—A. I didn't see them; if they had I didn't see them.

Q. Well, did you go among them?—A. I went among the first crowd. They were all strung up, away up the street, but when I got among them I commenced retreating back pretty quick; after I spoke to one or two I commenced retreating out of the crowd because I didn't like to be in such a crowd. I went up to ask Mr. Adams a question or two, and before I got out of the crowd they commenced firing, and then I took away as hard as I could.

Q. You told Mr. Vance in response to his questions that there was a majority of Republicans in your precinct, did you not?—A. Yes, sir.

Q. How large a majority?—A. I stated to him that I couldn't remember; hadn't the list of them.

Q. Well, there was a majority?—A. I know that Dr. Martin has got the list, and if I had thought I could have gotten it yesterday.

Q. Now, he asked you another question that I want you to answer. If you were in the majority in your district why you could not defend yourself in voting; why, being in the majority, you could not defend yourself in your right to vote?—A. We didn't want any disturbance with the Democrats at all; didn't want to have any disturbance, and that is the reason why we didn't go to the election; we feared there might be some firebrands thrown out some way.

Q. Were the Republicans, white and black, armed?—A. The Republicans?

Q. Yes; are the Republicans of your region armed?—A. I don't know any Republicans going armed that day.

Q. The Republicans of your precinct are mainly colored people; entirely, perhaps?—A. Yes, sir.

Q. Are they armed?—A. No, sir.

Q. Would they have any chance to defend themselves against the white people who are armed?—A. No, sir; they never had any arms.

Q. To what extent are the people of that region armed; the white people?—A. I don't know; not to no great extent. Of course, I saw them when I went to Danville.

Q. The white people generally in that region are armed, are they; provided with arms?—A. I don't know nothing about that. I am telling what they were that day; what arms I saw going to election; and I know it was not a usual thing; and then the riot in Danville made me look around and commence thinking that must be something that was not right.

Q. Though you were in a majority would you be in a condition to defend yourself against the white people of your precinct?—A. No, sir; I was not in no condition to defend myself.

Q. Were your colored people there in a condition to defend yourselves?—A. No, sir; they were not.

By Mr. VANCE:

Q. As a general rule, are not all the colored men in that country, who are housekeepers and keep house, armed with a gun?—A. Well, some; right smart of them; and then there is right smart that have no guns.

Q. In proportion to the numbers, are there not as many colored people who have got guns as white people?—A. Yes, I guess so; I don't know. At the same time, if we had been armed, we didn't propose to go to election that way.

Q. Was not there a "right smart" crowd of colored people at the election at New Design that day?—A. I don't know; I wasn't there.

Q. You heard, didn't you?—A. No, sir.

Q. Didn't you hear that there was a large number there that would not vote?—A. I heard that there was some there in the morning.

Q. You did not hear afterwards that there was a large number there?—A. No, sir; I never heard there was a large number there.

L. L. IVEY sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in Danville, Va.

Q. How old are you?—A. Thirty-four.

Q. How long have you lived there?—A. I have lived there for about six years.

Q. Were you present on the 3d day of November last, at the time of the riot in Danville?—A. I was.

Q. I wish you would tell in your own way what you saw and heard at that time, from the time of the commencement of the alarm until the matter was over?—A. I was at my place of business, doing a huckster's business on the market, and at about 3 o'clock, as near as I can get at it, somebody ran by my door and hollered out "fire!" and people were all running up towards Main street, and I came out of my place of business and went up to the corner to see where the fire was, and I got to the corner of Market and Main streets and saw a crowd of white men standing on the sidewalk and a crowd of colored people in the street, and I asked a man what the trouble was. He said it was a white man and a colored man fighting, and I saw white men standing on the sidewalk with their pistols up, as if daring anybody to come, and the colored men were standing in the street. The white men had their pistols up, as if daring anybody to come near, and I thought they might get to shooting at somebody else and shoot me, and I went back to my place of business, and just after I got back there I heard the firing, and looked back up towards Main street and saw the colored people. The firing continued, and one man fell just a little above my door, and after the firing was all over Jack Redd came and stopped about in front of my door, and the colored people were all running down below. He said, "What are you all running for?" He said, "These white people aint trying to shoot you; they are just burning powder; and my brother-in-law, who was with me, says, "What is that man lying dead over there for, if they don't mean to shoot you?" And Jack looked over there, and went walking up towards the Main street, and when he got to the corner Mr. Ned Hatcher and somebody else—I didn't know at the time who it was—met him at the corner and asked him where he was going. I saw Mr. Hatcher coming across the street, and ask him where he was going, and I thought he said nowhere, or something of that kind, and told him to go on back, damn black son of a bitch; and Jack turned around as if some one was kicking or striking him, and kicked him from the corner right down to my door.

Q. Who kicked him?—A. Hatcher and Reagan; and when he got down to my door I was inside and they could not see me, and just after they got in front of my door Mr. Reagan shot at Jack.

Q. Who is Mr. Reagan; is he a citizen of Danville?—A. Yes; he shot at Jack but didn't hit Jack and the ball went through the cover of a wagon that was coming down Main street, and kind of aslant across the street, and Jack begged him not to shoot him, and he told Jack to run, and Jack looked as if he was afraid to run and afraid not to run, and just as he was about to shoot a second time, Colonel Cabell came along

up and said, "Don't shoot him; let him alone;" and he turned away and walked up the main street, and I closed up my place of business and started home, and when I got to the Arlington House I saw a great crowd at the steps of the basement of the Arlington House, and I saw this man Ed. Davis who was shot with a hole in his forehead and about dying, and lawyer Harrison asked me if I would not get somebody to take the man up and carry him up stairs in the Arlington House. There was two or three colored men standing on the other side of the street, and I went across and spoke to them about taking this man up, and while talking to them Mr. Harrison came over and said somebody had taken him out. He said it was nobody but the low-down white people that was doing the shooting that was in this thing, and for me not to be alarmed; he would protect a colored man as soon as he would a white man. And while he was talking a man said, Colonel Sim's speech the other night had so fired these people that they were mighty near crazy; and while he was talking to me Willie Boulden, old man Boulden's son, came walking up, and this man Reagan and Ned Hatcher. Boulden said, "There's Ivey; he is one of the club leaders;" and Mr. Harrison, he had his pistol in his hand cocked, and Mr. Harrison told him to let me alone; he didn't believe I was that sort of a man.

Q. Who had the pistol in his hand?—A. Boulden Harrison had a pistol, and a shot gun too, and he told him to let me alone; he didn't believe I had anything to do with the row; and Ned Hatcher and Reagan walked up and said, "Yes, we'll end it damn quick." So I went off to a stable until it got quiet, and went around to my place of business and staid there until night.

Q. How many men did you see that were shot on that occasion?—A. I saw two men dead. I saw one that fell right opposite my door, on the other side of the street, and I saw one at the Arlington House. I didn't see the others, but I saw three others that were shot afterwards.

Q. Were they shot in front or rear?—A. Shot through the back of the head. The one up at the Arlington House dead was shot through the back of the head and the ball came out through the forehead, and Smith, who fell at the market, one ball went in his chin and another in his back. I saw his coat, and they said that is where the ball went through in his back.

Q. Who is Boulden?—A. He is the son of Editor Boulden, of the Danville Times.

Q. A Democratic paper, is it?—A. Yes, sir.

Q. Who is Mr. Hatcher; is he a business man there?—A. Yes, sir; he is a tobacco man there; buys tobacco, I think.

Q. What is your business?—A. I am doing a little huckster's business in the market.

Q. Did you have a conversation with Mr. Reagan after the transactions of the 3d?—A. I had a lot of chickens, and I came down on Sunday morning to feed them and give them water, after the fuss was over.

Q. That was on Sunday?—A. Yes. I was going up the street, was going up to the post-office to get my mail, and on my way up there this man Reagan was standing on the steps of the Planters' National Bank, at the old post-office; I didn't know his name; and Mr. Verser and Mr. Barksdale was standing on the street as I was crossing, and I went to them and asked them who this man was standing on the steps, and Mr. Verser said he did not know, and Mr. Barksdale said he believed his name was Reagan. There was another man standing a little below there, and he heard me, and I came back and this man and Reagan

both came across the street, and Reagan said to me, "By God, I understand you have been inquiring my name; my name is Reagan. I want you to understand that I am not hiding from anything I have done." I said to him that I hadn't said anything to him, but he told me by God to go on; he knew what I had said. So I went off to my place of business.

Q. You say that the white people were armed and fired. What weapons were they armed with?—A. They had pistols, all I saw.

Q. Did they have any guns?—A. Didn't have any guns then; I didn't see any guns then. When I went up to the corner to see the crowd, I saw there was right smart colored people standing in the middle of the street and these white men were standing on the sidewalk, as if daring anybody to come near, and they said a white man and colored man was fighting in the crowd. I saw the pistols, and fearing that they might shoot for somebody else and might shoot me, I went back to my place of business.

Q. Where is your place of business?—A. Market street, on the right hand side going down from Main.

Q. Here is a portion of a map of what purports to be a portion of Danville. I wish you would look at it and say if it is a correct map, so far as it goes; whether the designations there and the numbers correspond. For instance, No. 1 is the opera house, where the white people were assembled that day. Is that the place where the opera house stands?—A. Yes, sir.

Q. Well, look at No. 2; that is Market square?—A. Yes, sir; that is Market square.

Q. That is where you sold your truck, you say?—A. Yes, sir.

Q. And where people sold and bought provisions?—A. Yes, sir; to eat.

Q. Well, these lines, Nos. 3 and 11, is that the place where the white people collected together upon the occasion referred to?—A. Yes, sir; that is where the crowd was standing, just there.

Q. There's where the crowd of white people formed, is it?—A. Yes; that is where they were when I came up. I came up to the corner of Market and Main. I didn't go any further than the corner, and saw the crowd standing over here, and saw these men with pistols.

Q. That is where you saw them?—A. Yes; I went back then to my place of business down on the market.

Q. I think it was you, or one of the witnesses, spoke of Blair's office where the lines were formed, Nos. 8 and 24?—A. That is just in front of Woolfolk's insurance office. There is where they were standing on the street.

Q. I will ask you, as the shortest way to get at it, what do the figures 48, 49, and 50 represent? Perhaps others might know that better than you; still if you don't know just say so. You spoke of two being killed there that you saw dead. What signs are on the spot where they were killed, if any?—A. It is about No. 2 is where the man fell on the market. That is on the east side of Market street, or 21—about 21.

The CHAIRMAN. I will not press this examination as to the map now; but if there is any necessity to identify the places, the *locus in quo*, we will call the witnesses from time to time to do it. I will not offer the map now until I can identify the different points.

By Mr. VANCE:

Q. When the row began, I understand you, you walked up to where the crowd had assembled?—A. No, sir; I didn't go to the crowd; I went to the corner of Main and Market.

Q. Where you could see?—A. Yes; where I could see.

Q. How many colored people were present?—A. I suppose there were twenty-five or thirty; well, there was more than that; I suppose, fifty; somewhere about fifty, I reckon; seventy-five.

Q. Can't you raise it up a little above that yet?—A. No, sir; I am just telling what I think it was; I just went to the corner and saw the crowd assembled there.

Q. Was not the street crowded?—A. No, sir; it was not crowded; there was a crowd standing in front of the office.

Q. Could you see the white people at all?—A. I could see the white people standing on the sidewalk in front of this office.

Q. Was not the crowd of colored people entirely around them?—A. No, sir; right in front.

Q. In front and reaching up beyond the sidewalk on both sides?—A. White people on both sides.

Q. Yes?—A. No, sir.

Q. Was the sidewalk clear?—A. The sidewalk clear on this side or on the other side? Main street runs along like this table here. [Illustrating.] And here comes Market in here. This would represent the corner of Market and Main. Now, just above the corner of Market on Main would represent Woolfolk & Blair's office, and I came up to this corner. I was about down here, and I came up to the corner here and saw the crowd standing over here.

Q. Were not the colored people on the sidewalk too?—A. I didn't see colored people on the sidewalk; they were all in the street.

Q. Did you see them have pistols?—A. I saw white people have pistols.

Q. Did you know who they were?—A. No, sir.

Q. Did you hear them say anything?—A. I didn't hear. They had the pistols up as if daring any one to come near.

Q. They were standing on the sidewalk, these white people with the pistols, and their backs toward the building, and the colored people in front?—A. Yes, sir.

Q. And you say they were holding up the pistols as if daring anybody to come?—A. Yes, sir.

Q. The white folks were not moving themselves, just standing their ground?—A. Just standing on the sidewalk.

Q. The crowd of colored people were pressing around them?—A. Not pressing around them.

Q. Well, pressing all around, running up just like you did?—A. Yes, sir; I thought it was a fire, somebody came running, hollering "fire."

Q. How many white people were on the sidewalk in front of Woolfolk & Blair's office?—A. I suppose twenty-five or thirty.

Q. And from fifty to seventy-five colored people?—A. I suppose so.

Q. And the number of colored people was increasing every moment, were they not, running up like you did?—A. White and colored both increasing.

Q. Where did the white people come from?—A. Come from all directions. I heard that there was going to be a meeting that day, at 2 o'clock. Bills were posted round, but I never paid attention—I didn't think anything about it; but after the first shot a great crowd of white people came up from somewhere. They said they came out of the opera house.

Q. So they were not there when they began?—A. No, sir.

Q. Did you hear anybody warn the colored people to disperse, and not press up?—A. After the first fuss was over I saw Mr. Jeff. Corbin.

I was standing at my door and he was on the other side of the street. I heard him talking to some colored people at the corner, but I didn't hear what he was saying.

Q. Did you hear Colonel Cabell make a little speech there to the people?—A. No, sir. My place of business is down at the market, and when I saw there was a fuss I went back to my place of business and staid there.

Q. Then you didn't hear anybody try to disperse those colored people?—A. No, sir.

Q. You did not hear any pistol shots from the direction of the colored people?—A. The firing was all above me, in the Main street, and I could not see or tell who was firing.

Q. Did you see the wall of Woolfolk's office after the fight was over?—A. I passed along there.

Q. Did you see bullet-marks on that wall?—A. Not just on that wall. I saw bullet-marks on the wall of Nicholas's bar-room place, and all down the street, on the palings where the colored people ran out.

Q. That was opposite to where the white men were standing, wasn't it?—A. No, sir; it was just down below, on the fence palings.

Q. According to those marks, where would the men have stood who fired the pistols that made those bullet-marks?—A. On the opposite side of the street.

Q. From where the white men stood?—A. Yes, sir; where they were then, the ones I saw. The colored people run down Main street and South Market and North Market, and the bullets that I saw were fired from the opposite side of the street. The only fighting I saw was the colored people running in every direction down Main street and North and South Market.

Q. There was one white man shot, was there not?—A. Yes; I didn't see him until after—

Q. Until after he was removed?—A. I did not see any body shot but colored men. I never saw any white. There was one white man shot; I heard them say he was shot.

Q. You saw Davis lying in front of the Arlington Hotel shot?—A. No, sir; he was not in front.

Q. Oh, well it don't make any difference. You say he was shot in the back of the head?—A. The ball came out of the forehead.

Q. Can you tell whether he was shot in the forehead, and that the ball came out of the back; what is the difference?—A. A ball will make a larger hole where it comes out than where it goes in.

Q. Did you examine the hole to see which was largest?—A. I didn't examine, but I saw the flesh where it was puffed out in the forehead.

Q. You didn't examine?—A. No, sir.

Q. So you don't know whether the hole on the back side was the smallest or not?—A. The looks of the skin of his forehead being torn out, I just judged from that that the ball went into the back of his head.

Q. You judged from looking at the front of his head that the hole in the back side was the smallest?—A. I just thought as the skin was run out in the front—you shoot a hole through a plank, it goes in and makes a very small hole, not larger than the ball, but it comes out and tears out pieces.

Q. You didn't see the back side, you say?—A. No, sir; he was lying on the flat of his back, with this wound in his forehead.

Q. What made you think that hole in the back of his head was the smallest?—A. I just judged by the looks of the hole that the ball went in through the back of his head.

Q. You don't know whether he had been taking any part in the fight or not; whether he had been firing or anything?—A. No, sir, I did not.

Q. Who did examine him, what physician?—A. I don't know. Dr. Carter was there at the time when I walked up.

Q. Did you hear any exclamations of the colored people in the crowd before the firing began?—A. No, sir, I didn't.

Q. That they didn't intend to be run over, or anything of that sort?—A. No, sir, I didn't hear anything of that.

Q. Did you vote the next day?—A. No, sir.

Q. Why didn't you vote; I mean at the election three days afterwards?—A. I didn't know but what another row might take place and I just decided not to have anything to do with it at all.

Q. Didn't the authorities of the town and the white people, and everybody assure you there should be no interruption, and invite you all to vote?

—A. Circulars went around to that effect and at the same time men walking around with guns and pistols.

Q. That was the guard to keep order, wasn't it?—A. Everybody I saw was a white man. I never saw a colored man with any. Every man even and boy had a pistol in his pocket.

Q. On the day of election?—A. Yes, sir; and every day for a week after that election.

Q. You swear that every white man that you saw had a gun or a pistol?—A. Yes, sir.

Q. And even the boys?—A. Yes, sir; the boys had pistols. I didn't think it was safe to go to the polls and vote. I wasn't afraid so far as voting was concerned, but I was afraid another row might start on election. That was had on Saturday, and I didn't care to risk my life, as I had been attacked by this man. If it hadn't been for Lawyer Harrison I believe he would have shot me. I didn't think it safe, and I didn't go to the polls.

Q. How far is it from Danville to Wimbisher's precinct?—A. I guess it is about a mile, or a mile and a half; not more than a mile and a half, I think.

Q. Do you know how far it is from Danville to New Design?—A. It is called three miles, I think.

Q. Have you ever been there?—A. No, sir.

Q. Do you know about the mile-post there?—A. I do not; I have never noticed.

Q. Do you recollect the state of the vote at the election at Wimbisher's precinct; who had the majority?—A. The Readjusters had the majority.

Q. How large?—A. I don't remember now; it is between two hundred and three hundred.

Q. Two hundred or three hundred majority?—A. Yes, sir.

Q. Was there any disturbance there that day?—A. Not that I have heard, sir.

Q. The colored people voted at all the other precincts in the county that day, didn't they, except the town of Danville and New Design?—A. As far as I know they did.

Q. They voted all over the State, so far as you know, that day?—A. So far I know.

Q. Did you hear of any disturbance anywhere in the State that day of election?—A. No, sir.

Q. None at all?—A. No, sir.

Q. Do you know that the colored people polled more votes at that election than they ever had done before in Virginia?—A. No, sir.

Q. You are not much of a politician?—A. No, sir; I have not taken much part in politics; been 'tending to my own business; never taken any active part in politics at all; only voted my sentiment and let other people do the same thing.

Q. Whenever you are not afraid to vote your own sentiment?—A. Yes, sir.

By the CHAIRMAN:

Q. Was there any inquest upon that dead man you spoke of?—A. There was a coroner's inquest; this man Davis, I think; but I was not there.

Q. Who was the man you said threatened to shoot you?—A. Willie Boulden is his name. I didn't know his name at the time.

Q. Is he here among the witnesses?—A. I don't know.

Q. As I understand, you said that No. 21 on this map represents the spot where you saw the dead man?—A. Yes, sir.

Q. And No. 25 is where you were when the firing commenced?—A. Yes, sir.

Q. No. 45 is your place of business?—A. Yes, sir.

Q. And No. 43 is where you saw the other dead man? There is no question, I suppose, in regard to the location of the opera house and these buildings?—A. No, sir.

Q. Here is where the meeting was held of the Democrats, isn't it?—A. Yes, sir.

W. R. TAYLOR sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived in Danville?—A. Two years the 20th of last December.

Q. Were you examined before the committee of forty?—A. I was.

Q. I will ask you if you attended the meeting at the opera house on the afternoon of Saturday, the 3d of November, 1883, in Danville?—A. I did.

Q. What meeting was that?—A. It was a meeting in regard to reports that had been made, I believe, by the Democratic party there in Danville.

Q. It was a Democratic meeting in Danville?—A. Yes, sir.

Q. Where does the opera house stand? Please look at that plat and locate the opera house. Tell us what number there stands on the place.—A. The opera house is here; No. 1.

Q. Were there any speeches made at that meeting?—A. Not while I was in the house.

Q. What was the object of the meeting as explained at the time? I do not call for conversations but for the object of the meeting.—A. It was to get the sense of the people as to this report that had been sent out by the Democratic council of Danville.

Q. What was the nature of that report? What was it about?—A. I believe it was termed negro rule.

Mr. VANCE. Negro rule in Danville, I think it was.

WITNESS. I think that was the way it was. I was only in the house for a few moments. The meeting had just been called when I went out.

Mr. VANCE (handing paper to Chairman). Here is a copy. It is called "Coalition rule in Danville."

WITNESS. This is the circular I had reference to.
It is as follows :

COALITION RULE IN DANVILLE.

To the citizens of the southwest and Valley of Virginia :

We, the undersigned, of the merchants and manufacturers and mechanics of the town of Danville, Va., earnestly request that you will permit us to lay before you a few facts from which you can form some idea of the injustice and humiliation to which our white people have been subjected and are daily undergoing by the domination and misrule of the Radical or negro party, now in absolute power in our town, and under the leadership of William Mahone, seeking to extend and perpetuate its power all over the Commonwealth.

By the census of 1880, Danville contained 7,526 persons, of whom 4,397 were colored, and 3,129 were white. The population of the town has increased greatly since that time, and the proportion between the numbers of whites and blacks has also increased, there being a much larger proportion of blacks now than in the year 1880.

The taxes actually paid by the inhabitants of the town for the year 1882, upon property, exclusive of license taxes for its corporate uses, exclusive of taxes paid to the State, amounted to over \$40,000 in round numbers, of which only \$1,206.63 were paid by the blacks, making \$38,894 more of money paid for the support of the town by the white people than was paid by the negroes. Out of the total sum derived from taxation upon property, \$2,000 were appropriated to the education of the negro children of the town—a sum, it will be seen, \$794 more than the entire amount of tax paid by the whole negro population. So it appears that the negroes of the town do not contribute one single dollar to the use of the town, towards paying the interest upon its corporate debt, the improvements of its streets, the maintenance of its public works, the pay of its officers, and its incidental expenses of government. But, on the contrary, every dollar, and much more besides, paid by the members of that race in the nature of taxes, is returned to them and applied to the education of their children.

Up to the session of the last legislature the town was not divided into wards, but voted as a single precinct; and in that way the council was generally kept in the hands of the white people. But the negro party, desiring to get complete possession of the town government, that they might share in the offices as well as levy upon the treasury of the whites whatever they thought proper, applied to the legislature and obtained an amendment to the town charter requiring that the town should be divided into three wards, and that four councilmen and one justice of the peace should be elected from each ward. From the localities in which the negroes had herded themselves, it was totally impracticable to so run the ward lines without creating two wards in which the negroes had a large majority, and this they and their white leaders knew. The result was that they elected seven out of twelve of their candidates for the council and their candidates for justice of the peace from each ward.

Then began the deeds which have so humiliated us in our own estimation, and made our town, once so noted for wealth and enterprise, a by-word for shame and reproach from one end of this land to the other. Wherever it was possible for anything to be done by the council or its magistrates that would irritate and wound the pride of the whites it was executed with the keenest relish. Out of nine policemen four *negroes* were chosen—something before that time unknown to the history of the town—two of them acting not only as *policemen*, but one *as a health officer* and the other *as weigh-master at the public scales, and clerk of the market*. Out of the 24 stalls and stands at the market place, 20 are *rented out by the council to the negroes*. The scenes about this important and attractive institution (attractive in all cities) will give any person visiting the town a fair idea of the general state of the government under the negro rule. The market, once occupied in all its stalls by polite white gentlemen, with their clean, white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves. The white men have been driven out and forced to take up private places for vending their meats and vegetables, and the public market, erected by the money of the white people and intended to be occupied by men at least courteous and cleanly, has been converted to the use of squalid negro hucksters, and presents a spectacle of loathsomeness positively repulsive to any person who has the least idea of how a market should be kept.

The whites of the town are powerless to prevent this outrage upon their rights. In fact, it is believed that their well-known objection to such an indignity is the principal cause of its infliction. The council, which has the power of regulating the conduct of the market, is presided over by a carpet-bagger—J. B. Raulston—Mahone's collector of internal revenue for the Danville district, and the patronage of his Federal office enables him to control the council with the same undisputed power that the

general does his party. Raulston is exceedingly offensive to the white people, and it is well known he takes no pains to carry out any of their wishes. Two of the negro members of the council hold positions under him at the custom-house, and they are as obedient to his will in the council as they are in the revenue office.

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government, not one of whom has a dollar's worth of visible property within its limits, and this too by the most shameless usurpation; for the constitution and law of the State and the Presidential order by which the Norfolk postmaster was removed, all declare that such officials shall hold no office under the government of this commonwealth. The Federal Government, through its internal-revenue collector and the negro councilmen hired by him to scrub the floor of the custom-house and make incendiary speeches against the white people of the town, make our town laws, levy and collect our taxes, distribute our money, and elect *negro policemen* to watch our town while its inhabitants are asleep. This revenue collector declared, when he was elected president of the town council, that it was his intention to use the patronage of the council to build up the Radical negro party.

The police court of the town is another scene of perpetual mockery and disgrace. There the most active justice is a young negro named Jones, who first became famous by seducing a girl under promise of marriage, and was only saved from conviction upon indictment by the evidence of his partner in a junk-shop, who swore that he had had criminal intercourse with her before Jones. This court which, before the negro régime came into power, was only open a few hours every morning, is now practically open from morning till night, and nothing but actual observation can convey the least idea of the travesty of its transactions. Malice and partiality, whenever there is a motive, and ignorance, in its absence, are the rules of decision. The officials of the court, justices and policemen, co-operate in the work to make fees, and every act, or word, or deed of the citizen, whether atrocious in its character or too frivolous for the law to take notice of, is brought before a justice, and the party, if not fined, is required to pay the costs; and if there is more than one party the cost is doubled, and both parties made to pay costs. White men are arrested for the most frivolous acts by negro policemen and borne along to the mayor's office followed by swarms of jeering and hooting and mocking negroes, and tried, fined, and lectured and imprisoned by a *negro* justice, and then followed to the jail by the same insulting rabble.

At the October court of this year two of the party magistrates were removed from office by the judge of the hustings court, one for embezzling the money of the commonwealth, the other for "causes sufficient to the court," and one of them has fled the town to avoid indictment.

The notoriety which this state of things in our town has produced has attracted to the town large numbers of idle and filthy negroes from the border counties of North Carolina, and from Halifax, Mecklenburg, and Charlotte, Va. Although there is a law against vagrants, they are never disturbed. They infest the streets and sidewalks in squads, hover about public houses, and sleep on the doorsteps of store-houses and the benches of the market place. They impede the travel of ladies and gentlemen, very frequently forcing them from the sidewalk into the street. *Negro women* have been known to force ladies from the pavement, and remind them that they will "learn to step aside the next time." In several instances white children have been struck by grown negroes. We know of several cases where the lie has been given to a white lady to her face by a negro. It is a very common practice for the negroes who are employed about our houses to allude to white ladies and gentlemen as *men* and *women* and to negroes as *ladies* and *gentlemen*. This is a practice almost without exception with the negro women. They do it to irritate and throw contempt upon the white race. A short time since, when the town was in great excitement over the murder of a respectable gentleman and farmer of Pittsylvania County, in his wagon, while on his way home from Danville, by three negro highwaymen, a negro man in the town stood in the center of a crowd of his friends, with a pistol exhibited on his person, and with threatening gestures and loud oaths declared that he wanted to "start a row with some d—d son of a b——h of a white man that he might kill him."

A few nights ago the negroes were very indignant because they heard of the earnest work that was going on by the whites, to register all of their voting strength, and called a meeting, which was addressed by an incendiary negro, named Pleasants, a postal agent, and one of the town councilmen, hired at the custom-house, and they passed a resolution requesting the governor to have Federal troops sent to our town on election day, to intimidate the white people at the polls.

They have also a scheme to amend the town charter if they elect the legislature this fall, and take into the town a large negro settlement, outside of the town limits, called *Jacksonville*, by which they will get several hundred more black voters, and then it will be impossible for any white man to hold office in the town. We know this is their plan.

It is well known that hundreds of the North Carolina tobacco raisers who live within a few miles of Danville, and used to sell their tobacco in our market, now go five times as far to a market in their own State, *on account of the negro rule in our town*. At the negro meeting, referred to above, one of their speakers said they did not want the people of North Carolina to come here anyway.

Now, fellow-citizens of the Valley and southwest, we cry out to you in our affliction to deliver us from this awful state of *humiliation and wretchedness*. We know that, as a rule, the cries of the wretched make but little interruption of the general progress of things. The sun rises and sets all the same, and the work of the government, and the work of the feast and the torture goes on with exactness and tranquillity. But we appeal to you by that sympathy which constitutes the bond of union between honorable men struggling in the cause of freedom, to help us throttle this viper of *negroism* that is stinging us to madness and to death, *by voting against the Coalition-Radical candidates who are yelling and screaming with delight at the prospect of fastening its fangs into us forever*.

We appeal to you to say, do you think it is just that we should contribute *every cent* to the maintenance of our town, pay our town *debt*, and appropriate *not only all the negro pays in the way of tax, but much more besides*, of our own money, to the *education of his children whom he raises upon our money to be our bitterest enemies*, and then let him have possession of our town government, too? Is it right that the negro should have all this given him, and then be allowed to control our offices and plunder our treasury besides?

It is an injustice at which we know your humanity will revolt.

It is the injustice of the frozen serpent, which after being warmed into life by its benefactor, stings him to death.

Help us, fellow-citizens, by voting for the Conservative-Democratic candidates for the legislature, for *unless they are elected we are doomed*.

W. T. CLARK, Merchant.
JAMES W. BRUCE, Merchant.
C. M. HENDRICK, Builder.
J. G. COVINGTON, Tobacconist.
REDD & JORDAN, Warehousemen.
DANIEL COLEMAN.
J. E. SCHOOLFIELD, Merchant.
A. G. FULLER, Tobacconist.
HAMLIN & HINTON, Merchants.
C. H. NORTON, Contractor.
GEO. A. LEE, Tobacconist.
GRAVELY & BURTON, Grocers.
J. B. WESTBROOKS, Foundryman.
THOS. L. POINDEXTER & SON, Warehousemen.
RUFFIN, WOOLFOLK & BLAIR, Real Estate and Insurance Agents.

JOHN W. HOLLAND, Tobacconist.
W. P. GRAVES, Warehouseman.
J. M. COVINGTON, Tobacconist.
R. B. GRAHAM & BRO., Builders.
S. H. HOLLAND.
E. L. & A. GERST, Tanners.
MOROTOCK MANUFACTURING CO.
BOOTH, WOODING, & BOOTH, Merchants.
ESTES & WOODING, Merchants.
W. N. SHELTON, Tobacconist.
LEA & JORDAN, Warehousemen.
HARRY WALKER.
ED. S. RAGLAND, Foundryman.

By the CHAIRMAN:

Q. When was this circular published? How long before the meeting?—A. I do not remember the exact time. It was a very short while.

Q. Was this paper read at the meeting?—A. It had not been when I left the opera house; it was to be read. The meeting was just called to order when I was called out.

Q. Did you leave there before the firing commenced?—A. Upon the street?

Q. Yes.—A. I did.

Q. You left there before the fight with Noel?—A. I did, sir.

Q. At whose request did you leave the hall?—A. Mr. Noel's.

Q. Where did you go from the meeting?—A. I went up Main street with him a short distance.

Q. Can you designate the place on this map where you and Mr. Noel went?—A. I can tell the house and the number from the corner. I do not know exactly how you have got it marked here. [Examining.] Number 8 is the number. Woolfolk & Blair's is the house.

Q. You went with Mr. Noel there. Now, you may state what occurred there. I do not care about calling out conversation, except what occurred and was said in your presence there at the time this riot occurred. You

may go on and state in your own way what occurred in the order of events when you went with Mr. Noel to the place designated by you.—

A. When we got in front of Woolfolk & Blair's he stopped on the street and says, "Here's that nigger that I told you had insulted me," and I turned to him and recognized him then as a nigger that had insulted me on October 1, I think.

Q. What was his name?—A. Hense Lawson. I did not know what his name was until that day. I knew his face directly I saw him, and I spoke to him then and said, "You are the same nigger that insulted me the other evening, and now we want to know what you mean by insulting gentlemen on the street as you have." And he remarked to me it was none of my damn business. With that Noel stepped up in front of him and asked him what he meant by speaking to him as he did, insulting him. He said he had not done so. Noel told him he had, and they stepped up to each other, and both of them collared each other, and went to blows. Noel gave him a pretty good beating in the face with his fist.

Q. At that time were you armed?—A. Yes, sir; I was armed.

Q. Were you armed when you left the opera house?—A. Yes, sir; I was.

Q. What was the arm—a pistol?—A. A pistol; I had it in my coat pocket.

Mr. VANCE. Mr. Chairman, I do not know what the laws of Virginia are, but in most of the States the carrying of concealed weapons is an indictable offense, and if that is so in Virginia I do not know but what the witness ought to be warned not to answer.

The WITNESS. I did not have my pistol concealed. I bought the pistol not more than half an hour before of Mr. White, down the street, and put it in my pocket, and it was exposed when I went in the opera house and when I came out.

The CHAIRMAN. Well, that is the privilege of the witness, to decline to answer if he chooses.

The WITNESS. I know it is a fine for carrying concealed weapons, and I would have refused to answer if I had not had it exposed.

By the CHAIRMAN:

Q. Why did you buy it?—A. I bought it at White's.

Q. For what purpose did you buy it?—A. Because I wanted a pistol.

Q. Had you any particular object in view at the time other than the desire to carry a pistol?—A. No; except that I am about, traveling round, and always carry a pistol.

Q. Was it not in consequence of that previous colloquy between you and the colored man?—A. It was not. I had a pistol already, but it was an old pistol; I sold that one and bought this improved pistol.

Q. You bought it at White's, a merchant in Danville?—A. Yes, sir.

Q. Now you may go on and state further what occurred. You say Lawson was pretty badly beaten by Noel. What occurred after that?—A. A policeman, Adams I think the nigger's name was—either Adams or Withers, I have forgotten which one; both were present on the ground after the fight—came up whilst the fight was going on and remarked, "Good God, gentlemen, what's the matter here?"—A. I told him it was nothing but a fight, and they were having fair play; to keep the crowd back. He said he would have to separate them. I told him "all right," and put my hand on Charley Noel's arm and told him that would do, and he took hold of Hense Lawson and separated them.

Q. What occurred after that?—A. As I was pulling Charley Noel back

I heard Mr. Lea, who was present, call my name, and upon turning I saw a large negro had hold of Lea's hand.

Q. Lee was a white man?—A. A white man. George A. Lea. A negro had hold of him trying to wrench his pistol out of his hand.

Q. Did Mr. Lea go there to the ground with you and Noel?—A. He left the opera house just ahead of me.

Q. With Noel?—A. He and Charley Noel went down the steps just ahead of me. I joined them on the street.

Q. Did Mr. Noel tell you why he wanted you there?—A. He did.

Q. What did he say was his purpose?—A. He said that a negro had insulted him on the street, and that he had stopped him twice by hailing him, and he wanted us to go out there with him and see that he had fair play; that he wanted to give him a good flogging while he was at it.

Q. And Lea was standing by. You three were standing together, then, at the time the affair occurred?—A. Yes, sir; one on each side of Noel, and this negro a few steps off.

Q. Now, you may repeat, if you please, what you saw after that. When Noel and Lawson were separated in the way you pointed out, what occurred then? Go on in your own way.—A. This policeman, Adams or Withers, as I said, I have forgotten now which one, took hold of Hense Lawson and I of Noel, and separated them. In the act of doing that I heard Lea call my name, and upon turning I saw a negro had hold of Lea's hand trying to wrench the pistol out of his hand. I turned upon him, and struck him with a cane I had in my hand across the shoulders. In starting to make off he tripped me, and I fell right on the edge of the sidewalk; as I fell Lea's pistol was discharged. Whether it was accidental or not I cannot tell. It was a double action pistol. Lea had hold of it, and Lea was grappling with him with both hands as I struck him. As I got up the negro ran off towards the market corner, and I did not see him any more at all.

Q. What occurred after this?—A. The negroes commenced crowding around asking who was that shot at that negro and where he was. Some one said it was Lea, another one in the crowd pointed me out and said it was me; that it was "the man over there with a little black mustache;" they said he was the one.

Q. It was Lea that fired the pistol. Do you know what was the effect of that pistol shot; where it struck?—A. I do not.

Q. Was the man killed?—A. He was not.

Q. What occurred after that?—A. The crowd of negroes continued to increase and to press in toward the sidewalk where the few white men that were there were collected, and there were several of them that made threats; said that they had been mistreated and they intended to have their rights, and that was as good a place to settle it as anywhere else. In the mean time Withers, Adams, and Mr. Freeman, who was on the police force, were doing all in their power to disperse the crowd. Capt. Joel Oliver, who was there at the time, stepped out on the edge of the sidewalk and told the negroes if they would disperse the white men would. They said that they would not, that the white people must disperse first.

Q. Well, what then?—A. The crowd just continued to press in and seemed to increase—the negroes—and I saw one or two in the crowd exhibit their pistols. At that time Withers and Adams had disappeared. I do not know where they went. I did not see them after that.

Q. What occurred after that?—A. They continued to ask for these men that had created the fuss and for the man that shot at this negro,

and this same tall black negro who had spoken to me before said I was the man; pointed me out. I stepped out then a little from the crowd and told him that I had not fired a pistol, but that I had mine there and if he wanted the contents of it he could get it.

Q. Was the negro man armed?—A. This negro that I speak of had a white-handled pistol in his waistcoat pocket, and he took it out in his hand, that way [indicating], and put it back in his pocket.

Q. What was his name?—A. I heard afterwards his name was Davis Llewellyn.

Q. Would you know him if you saw him?—A. I don't know that I would. I never saw his face before, except to know that he was a tall, black negro; that is all I know of him.

Q. What next?—A. Some one in the crowd soon afterwards said, "Fire on them."

Q. Do you know who said that?—A. I do not know; it was below me on the street.

By Mr. VANCE:

Q. Please state which crowd, whether the white or black?—A. I couldn't tell. It was down below me, and the whites and blacks were jammed close together, just a few steps. I then heard a voice in the crowd of negroes, right out in front of me, say they could shoot just as good as the white people could, and if they shot to kill those that started first; and a few seconds after that the firing commenced a little below me on the street. After the first shot or two was fired I heard some three or four balls pass very near me, and young Holland, who was standing just to my left, fell on the sidewalk.

By the CHAIRMAN:

Q. Was Holland a white man?—A. Yes, sir; he was shot right in the curve of his head; also had a ball in his overcoat—back of the head, right in here [indicating], just as he was in the act of stepping on the sidewalk. He was then with his face up towards the Arlington Hotel.

Q. Go on and state what further occurred.—A. The firing was quite brisk. I could not say how many shots were fired on either side, but I saw several pistols fired by negroes! I saw one negro who ran off firing back at the crowd of whites.

Q. What became of the negroes then?—A. They dispersed; at least broke and ran in every direction, and fled. In less than a minute after the general firing commenced, I saw no negroes at all, except some few that were in stores along the street.

Q. They disappeared?—A. Yes, sir.

Q. Do you know how many men were killed that day?—A. I do not know. I believe there were three that fell on the street not very far from there.

Q. Do you know how many were wounded?—A. I do not.

Q. How many white men were injured that day in all, besides Mr. Holland?—A. Mr. Holland was shot, and a butcher, Seward I think his name was, received a flesh wound in his side.

Q. At the same time?—A. At the same time.

Q. Any other white men?—A. No, sir; none that I know of.

Q. Have you the means of knowing how many negroes or colored people were hurt?—A. I have heard various reports, but I do not know how many were hurt.

Q. Are you a member of the Danville Grays?—A. I am not.

Q. Was either of the three who were at the beginning of this controversy—either Noel, Lea, or yourself—a member?—A. Charley Noel is.

Q. Who is the captain of the Grays?—A. Joel Oliver.

Q. Where was Lawson wounded? How was he wounded?—A. He was beat in the face.

Q. Was he shot by a pistol?—A. Not that I know of.

Q. I will ask you if you fired a pistol on that occasion?—A. I did.

Q. How many times?—A. Five times.

Q. Was that the contents of your pistol?—A. That was the contents of it.

Q. Did you state that fact at the time your testimony was taken before?—A. I do not remember whether I did or not. I do not remember whether that question was put to me or not.

Q. Were you appointed special policeman after that affair?—A. I was.

Q. Was there any one appointed a special policeman except white men?—A. No, sir.

Q. Who were you appointed by?—A. I was sworn in by Mayor Johnson.

Q. Who was your chief?—A. John Lea.

Q. Was Mr. Noel also a member of the policemen appointed?—A. No, sir; he was a member of the Danville Grays and was called out with his company.

Q. Was either Mr. Noel, or yourself, or Mr. Lea, ever indicted or arraigned for your participation in that affair?—A. We were summoned before the grand jury as witnesses, and testified there.

Q. As witness; but there were no indictments or proceedings against you?—A. No, sir.

Q. Were there against any of the white men engaged in that controversy; were they ever arraigned or tried for the results of that riot?—A. No, sir; not that I know of.

Q. You say you fired five times. When you fired, who did you fire at?—A. I fired at the negroes.

Mr. VANCE. Mr. Chairman, I don't think you ought to ask him whether he fired his pistol because he could be indicted for it under the testimony he has given here himself unless there is some protection to him. I made no objection because he did not seem to hesitate at the question.

The CHAIRMAN. I think myself, in an inquiry of this kind, the question is competent, but if the witness claims exemption on the ground that it might tend to criminate him, I think the question ought not to be pressed, and I will state that to the witness or to any of the witnesses here, that, while I am at liberty to ask all these questions, yet under our Constitution, no man is obliged to criminate himself, and I will say that to all the witnesses in hearing, and if he claims exemption on the ground that it will criminate him, he is certainly protected on the general principles of our laws; but the question is a proper one, and it is for him to say whether he will answer or not.

[To the witness]. Where were the Democratic meetings usually held in Danville? Were they held in the Grays' armory?—A. The ward meetings were held there.

Q. How often were they held?—A. Each ward met every week. I think one day in each week.

Q. I will ask you this general question, whether every person appointed on the police force after this riot was not a member of one side—was a white man and a Democrat?—A. I believe they were; I think they were; I don't know.

Q. Was there any organization of a similar character on the other

side among the Republicans or colored people?—A. I do not know whether there was or not.

Q. At any rate, the only open organization you know of was that of the special policemen, so called?—A. What do you have reference to?

Q. I mean that day.—A. That was all I know of.

Q. I will ask you whether you saw Mr. W. P. Graves on that occasion?—A. On what occasion?

Q. On the occasion of the firing. Was he in the crowd?—A. I saw him after the riot was over. I did not see him at the time.

Q. I will ask you the same question as to W. S. Walters?—A. No, sir; I do not know the gentleman.

Q. And Joel Oliver, was he present?—A. I saw him.

Q. Was he there present at the riot or firing?—A. I saw him on the street directly after the firing was over. Yes, sir; he was there on the ground at the time the riot took place, just before the general firing.

Q. Was he armed?—A. I don't know whether he was or not. I did not see him exhibit any arms.

Q. Did you see Mr. Reagan there?—A. I saw him after the thing was over. I did not see him at the time, not to recognize him, at the time of the firing.

Q. Was Edward Hatcher there?—A. He was.

Q. And Mr. Blunt?—A. I did not see Mr. Blunt, not to recognize him, until after the shooting was over. I saw him upon the street afterwards.

Q. Was Dr. Temple there?—A. He was.

Q. And Mr. Mittely?—A. Which Mittely?

Q. I do not know the name—any one of that name?—A. I don't know whether he was or not.

Q. Can you say that you saw either of these men that I mentioned shoot?—A. Which men?

Q. Any of the men I have named; do you know whether any of these men fired a pistol in the crowd?—A. George Lea; I mentioned that his pistol fired, but whether accidentally or not I do not know. It was fired as I fell, and George Adams, in trying to get off, tripped me after I struck him.

Q. Lea, as I understand, was then fighting with Adams?—A. I do not know whether you call it fighting or not; he was holding the pistol and Adams was trying to wrench it from his hand.

Q. And it was at that time, this attempt to disarm Lea, that you struck him with your cane?—A. I did it whilst he had hold of Lea's pistol.

Q. Did Lea fire the pistol after you struck Adams?—A. The pistol was fired after I struck him.

Q. You cannot say whether it was deliberately done?—A. I cannot say, because it was done at the time I was in the act of falling.

Q. Let me ask you—and I would like a frank answer—had you any sense of fear of danger when this riot occurred?—A. I did have.

Q. Upon what ground?—A. Upon the ground that there was so many negroes there, and it seemed to me their intentions were hostile. I had no doubt at that time that if we had given way—the few whites that were there shown any fright at all—that we would have been overcome and murdered there.

Q. How many pistols did you see in the hands of the negroes there?—A. Some two or three in the course of the whole thing.

Q. How many white men were there among you?—A. There were

three white men there when the fight first commenced, and when the general firing commenced I do not think there were over twelve or fifteen.

Q. All of these were armed, were they not?—A. I could not say, as I was looking more at the negroes.

Q. As I see you are a young man, when fear is not very great, I ask you whether you were in fear of that crowd of negro people there?—

A. I was not afraid of them so far as—— I don't know what you term fear there.

Q. Were you in fear of being murdered by the negro crowd?—A. Yes; I had fear of being killed if I showed any back there at all. If I had given way at all I have no doubt whatever that I would have been killed and the white men that were right there with me.

Q. You really think you were in danger there?—A. I do.

Q. Is that the general feeling of fear among the white men of Danville in the presence of negro crowds?—A. I don't know that it is except when there are so few as they were. There was not more than half a dozen white men there.

Q. Did the negroes want anything more than that the men who had commenced the affray—you three men, Noel, Lea, and yourself—should be arrested or taken care of first. Was not that what they demanded, that you should be arrested for this?—A. They did not say arrested; never used that term at all.

Q. What term did they use?—A. They did not use any term at all, except just wanted to know where the men were that started it, and "Who was the man who shot at that negro?" and after the discussion, which continued some time there, and after they staid, there was a cry of "Fire on them!" I do not know whether it came from the whites or blacks. Then there was a reply from the negroes that they could shoot as well as the white men could, and that started it.

Q. How long after the firing before the negroes ran; did they run immediately upon the firing?—A. There were a few shots fired and the negroes did not break at all.

Q. Were they not fired in the air?—A. I could not say whether they were or not. I have heard reports that they were.

Q. Then how soon did the negroes run after the firing?—A. In the second volley when the general firing commenced. There were some dozen, I suppose, shots fired at first. A very few seconds afterwards, I suppose, there must have been a hundred shots fired. Then the negroes just broke and run; gave way in every direction.

Q. You say you fired five shots at the negroes; were the negroes running when you shot?—A. No, sir; not running when I first shot.

Q. Could you fire five shots before they commenced running?—A. I could fire five shots before they got twenty steps; before the crowd had broken at all.

Q. Then they would be retreating twenty steps at any rate before you fired five shots?—A. I do not know whether they could or not; mine was a double-action pistol, and I fired as rapidly as I could.

Q. Did you see any other man than yourself fire?—A. No, sir; I did not see any one fire at all, except negroes. As I said before, I saw some negroes fire in the crowd as they were running off. There were several shots. Some three or four balls. I heard them pass me at the time Walter Holland fell on the street.

Q. Do you know whether you hit any one?—A. I do not.

Q. Did you fire at any particular person or at the crowd?—A. I fired at the crowd of niggers in front of me, which I would most undoubtedly

do again under the same circumstances, because I deemed it self-defense then and nothing else.

Q. I ask you if the white people had obtained arms recently, before this affair?—A. I could not say whether they had or not.

Q. Do you know of any weapons kept at places at that time in Danville other than in your armory?—A. Of course there were in hardware stores, I suppose. I know of no arms kept; I do not know whether private families had arms or pistols or not.

Q. Where are you employed?—A. I am in the tobacco business.

Q. Did you see any arms at the real-estate office of Woolfolk & Blair?—A. When; at the time of this riot?

Q. Yes; or after.—A. After? No, sir, I did not; I saw pistols there on the street in the hands of men after the thing was over; several men were out in the street with pistols in their hands.

Q. Do you know where they got them?—A. I do not. I know some got pistols from Schoolfield's after this firing was over, but whether these were the men that I saw or not I do not know.

Q. Do you know of one or two packages of arms that have been spoken of as being brought into Danville immediately after this affair?—A. I do not.

By Mr. VANCE:

Q. Do you know of any deposit of arms except that in the armory, belonging to the military company, and those that are usually kept in hardware stores for sale?—A. No, sir, I do not. I never have heard of it.

Q. I will ask you this question: was there any arrangement or understanding or combination or conspiracy on the part of the white people to bring on that row and have that fight?—A. None whatever, that I ever have known.

Q. If I understand you, the way the row began was that a negro had insulted Mr. Noel?—A. He had, sir.

Q. And Noel came up in the meeting that you were attending and told you about it and asked you to go out and see fair play?—A. Well, if you wish me to state what took place before the fighting, whilst I was in the opera house, I will.

Q. Yes.—A. Colonel Cabell appointed me to keep the gallery door. Mr. George Lea went up in the gallery with me, and we were sitting there and—I have forgotten the gentleman's name—came in and told us of the difficulty first that Noel had with this negro whilst he was going up to dinner. This negro had stepped on his heels when he was crossing the street.

The CHAIRMAN. I should say that the narrative of what occurred had better come from the witness Noel.

Mr. VANCE. Well, just state that in consequence of Noel telling you something that occurred you went out with him, at his request, did you?—A. Yes.

Q. And was there any intention to do anything out there except to have a fist-fight with the negro?—A. Nothing in the world that I know of. I did not suppose if they had he would have thought it necessary for us to go with him.

Q. Instead of being an intention to provoke a row was there not a great anxiety on the part of the citizens generally to keep down a row?—A. There was; for Noel had come into the hotel and bid Lea and myself good-bye. We told him we had heard of it, and he told us about it, and said he was not going to have anything to say or do about it then,

but he was going into the country to spend Saturday night and Sunday, and said he did not want any fuss until after election, and after that he intended to thrash this fellow Hense Lawson for having insulted him. He left, and I suppose three minutes afterward he came back into the opera house up stairs and spoke to Mr. Lea, who was sitting there by me, and said, "This nigger has insulted me. Hailed me on the street again." He said, "It is more than I can stand, and I want you and Taylor to go with me and see that I have fair play." We told him that we would go. I called Charley's friend, who was there, to take charge of the door. I went out with him and went up the street and met Hense Lawson, and then occurred what I have stated.

Q. How many were present when the fight began between Noel and Lawson?—A. I did not see any other white men on the street except Noel, Lea, and myself.

Q. How many colored men were in company with Lawson when Noel got up to him?—A. I do not know exactly. I suppose some fifteen, something like that number, in groups of five and five, standing about and in groups near.

Q. Immediately on the fight beginning the crowd began to augment, did it not?—A. Yes, sir.

Q. Well, by the time the fist-fight was over and the firing with pistols began, will you please state how many persons were present of both colors?—A. I suppose that from the number it looked to me in the street there must have been between two and three hundred negroes; it looked to me that in the street, and I did not see only right around me, where mostly white men seemed to be. I should not judge more than fifteen or twenty at the outside.

Q. Where were they?—A. They were standing on the sidewalk, right in front of Woolfolk & Blair's office. The streets were chock full of niggers. The whole of Main street seemed to be full of niggers.

Q. Were there any colored men on the sidewalk at either flank of the white people?—A. There were some one or two standing around among the white men. Hense Lawson was one of the number. Before the firing commenced he had been carried into a barber shop to wash his face and came out on the street again before the firing commenced, and there was a small nigger who was talking to me—Robert Calloway was his name—and a young nigger with him came up to me, and told me, he said, "I have done all I could to get these niggers to go away, and I can't do it." He says, "It was nothing but a fair fight, and the white man got the best of it." He says, "It is a fair fight, and I have got no fault in the world to say to it."

By the CHAIRMAN:

Q. Who said that?—A. Robert Calloway. He asked me what it was better to do, and I said if there was anything serious to take place there I did not want any well-disposed man to get hurt; nobody would get hurt unless it came to a pinch. My advice to him was to leave and advise all his friends to leave, and he turned to this young nigger that was with him and they turned and went up the street. I did not see any more of them until next day.

By Mr. VANCE:

Q. Now, when you were with that little company of white men standing on the pavement, what was the demeanor of this crowd in front of you? Did they appear to come up simply out of curiosity or were they angry and excited?—A. Several of them showed signs of anger and threats.

Q. Can you remember any remarks they made?—A. Yes, sir, I remember their asking where was the man that shot at that nigger, and where were the men that started that fuss, and pointing out to different parties and saying that they were going to have their rights; that they had been mistreated, and that was as good a place to assert their rights as anywhere else.

Q. Did you see any persons trying to disperse them and get them to go off?—A. Yes, sir.

Q. Who were they?—A. These three policemen—Withers, Adams, and Freeman.

Q. Did you see Mr. Booth trying to pacify them also?—A. I did.

Q. Do you recollect what reply, if any, they made to these gentlemen who were trying to get them to go away?—A. There was a negro replied to Freeman, when he told them to disperse, to go away from there. He replied that he would not; that they had been mistreated, and intended to have their rights there. Freeman replied to them that if that was what they wanted they would get what they claimed, their rights, and pretty soon. This was the man that I stated I had seen take his pistol out of his pocket; a white-handled pistol. He had his pistol in his waistcoat pocket.

Q. How far were you from young Holland when he was shot?—A. I could have put my hand on his shoulder very easily.

Q. Is it possible from the way he was standing for anybody but a negro in the crowd to shoot him?—A. Not unless a white man standing down the street. He was bound to be shot with a ball coming up the street.

Q. Were there colored men down in that direction?—A. There were colored men down the street and above and in front of us; they were in a sort of semi-circle. The white men at that time, I suppose, were coming out of the opera house; they were on the sidewalk; this shot must have come from about this angle [illustrating]. Here's Main street, here. Here were the white people, and Holland was just in the act of stepping up from the gutter on the sidewalk. I was standing in the gutter, and just as he stepped up he was shot in the head.

Q. What was the character of the wall behind you, of Woolfolk & Blairs' office?—A. Wooden.

Q. Did you see any sign of pistol-bullets against that wall after the fight was over?—A. I did not see any right in Woolfolk's door; but I have seen prints of balls just above and below.

Q. In the same building?—A. There was one or two in his building just above the ledge of his door, I think.

Q. Could these balls have come from white men where they were standing?—A. No, sir, not from those men, unless they turned and fired back towards the house. There was one shot up there on the cornice or roof of Woolfolk's office that might have been from a white man firing right up in the air, and might have been fired from the crowd, from his pistol being knocked up. I do not know where it was fired.

Q. Where were the majority of the active white men that day?—A. They were in the opera house.

Q. At this meeting do you have an idea of how many were in the opera house attending this meeting, judging by the size of the room?—

A. I have not. There were a good many in there; I don't know how many. I was up in the gallery, and could not see much of the audience down-stairs.

Q. Did they come down and take part in the row?—A. There were some few men got down there from the opera house about the time the

firing commenced, but very few. The firing was all over before the crowd from the opera house got out.

Q. Before the bulk of the meeting came down the firing was all over?—

A. Yes, sir; and when the body of the men from the opera house came out there was no niggers about at all, except some few that ran into stores.

Q. Had this negro insulted you in the same manner?—A. He had insulted me, not exactly in the same manner.

The CHAIRMAN. The witness had better state what Lawson did to him; I have no objection to that.

Mr. VANCE. Well, as showing the animus of the crowd, I suppose that would be material.

The CHAIRMAN. He states in his examination that that was some days before.

By Mr. VANCE:

Q. What took place then?—A. I was going up home that night after coming home from hunting. Just as I was crossing over Cornwell's corner, I believe it is known as, corner Union and Main streets, just opposite the Arlington Hotel, walking up the street with a young friend of mine, and there was a crowd of niggers, most of them seemed to be young niggers, right at the lamp-post; seemed to be scuffling and singing and carousing on the street; we passed single file, my friend first, and as he passed there I saw one of the niggers make a gesture at his back, strike at him as he passed; the fellow did not see him but he struck at him, and I looked over my shoulder to see if he made the same gesture at me, and he did, and I turned right around and looked at him in the face, and he shrunk and walked into the crowd.

There was nothing said by either party until I got across to the Arlington corner, and then this nigger, as I found out afterwards to be Hense Lawson, in the crowd said, "What in the hell did he mean by looking back?" I told him that was my business, and if he wanted to find out he could very easily, which was by coming out to see. With that he started across the stepping-stones towards me, put his hand in his hip-pocket and pulled out a pistol or pair of brass knuckles—something that glittered—put it in his overcoat pocket, and walked across towards me, with his hand in his overcoat pocket, and I told him at the time, "Now," I says, "You come across here," I had my gun on my shoulder, "If you come across that third stepping-stone I am going to kill you." At that time Jim Covington stepped out in front of me and says, "Bob, control your temper; don't get mad," and spoke to the nigger, and said, "You have gone far enough, you leave here." The nigger said, "It was not me, it was some one else in the crowd; it was not me." I said, "It looks very strange you should have drawn a pistol, or whatever it was, from your hip-pocket and looked towards me; if that was not you I have nothing to say about it;" but I says, "Just leave now and don't have nothing more to say about it at all." I told Covington that I was a great mind to have him arrested right there and see what weapon he had, and what he meant by exhibiting it, but he said no, that things were at such a pitch then he did not want any row if he could possibly help it before election; that if such a thing had to be done he wanted it after election, and I went on home and never said a word about it until this thing occurred about Charley Noel, and I mentioned it to this nigger on the street.

Q. What was the cause of there being an unusual excitement? You have never had any riots with black people in Danville?—A. No, sir; never heard of any such thing.

Q. What was the cause?—A. Well, according to my idea and judgment of it, it was that incendiary speech of Sims.

Q. Did you hear that?—A. I did; a portion of it.

Q. Why do you speak of it as incendiary? What did he say?—A. He said everything abusive of the leading men of Danville there, and called all those who had signed this report that was sent out—the one I was questioned about awhile ago, “Coalition rule”—he branded every one as malicious liars, scoundrels, and perjurers, and said that every one had known when he signed it, that he was signing a pack of lies, and had signed it willfully, and that it was some of Colonel Cabell’s work, and he was too smart to sign it, but that his nymphs had signed it; and went on in that strain.

Q. Did he say anything to the colored people about what their action should be?—A. I do not remember exactly. He brought up several things that were spoken of there in the report, but I have forgotten now.

Q. Did he give them any advice what to do or anything of that sort that you recollect?—A. He advised them to go to the polls on election day and to vote; to cast their votes and to assert their rights, and said that if any one threatened them or offered to bribe them, that if they would report them to him he would send them all to the penitentiary; just wanted them to let him know and he would send them all to the penitentiary.

Q. What effect did the speech appear to have on the crowd?—A. It seemed to have quite an exciting influence; they cheered and hurrahed considerably.

Q. More than at an ordinary political gathering?—A. I think so.

Q. Did you hear any expression of violence or disrespect towards the white people in the crowd while he was speaking?—A. He took each one of these men who signed this circular individually and collectively and put the question to the negro audience there, asked the question if they were not liars, and if they did not know it. The general reply was, “Yes,” and then a great hurrah, and he asked that question in reference to every man on that list, and then took it collectively.

Q. Then you think that speech was the cause of the unusual and dangerous excitement of the community?—A. I do; I think that was what excited the niggers.

Q. What is the character and standing of the men who signed that paper?

(The chairman objected to the question.)

By Mr. VANCE:

Q. What standing had most of them occupied—what position?—A. They were the leading men in every branch of business.

Q. They were the leading men of the place?—A. Yes, sir. The leading tobaccoists, manufacturers, leaf dealers, and proprietors of those cotton factories there, the leading dry-goods men, hardware men, and men of almost every business there in town. The leading men who were, if anything, looked up to and respected by all the citizens of Danville.

Q. You say the captain of the Grays is Captain Oliver?—A. Yes, sir.

Q. And that he was in the crowd there when the firing commenced?—A. Yes, sir; I suppose he was. Not more than a second before the firing took place.

Q. What was he doing and saying to the crowd?—A. He was talking, and a good many other men were there, this policeman who was ordering these niggers to disperse and leave; he told them if the niggers

would disperse the white men would. The niggers replied, some in the crowd, I don't know how many, nor who they were, said that they would not disperse, that the white men had to disperse first.

Q. You were asked if you were not appointed one of the special police or patrolmen to preserve order after that?—A. I was.

Q. Who were you appointed by?—A. I was sworn in Sunday morning as a special police. Saturday evening and Saturday night I was under charge of Mr. John Lea, to whom Johnson turned the management of the whole town over.

Q. Who is Johnson?—A. He is mayor of the city.

Q. What are his politics?—A. He has been a Readjuster and Republican, I believe.

Q. And is yet?—A. He is; I think he voted the Republican ticket at the last election. If he did not vote that he did not vote at all.

Q. Well, the whole force, regular police, special police, and military and all called out were under control of the mayor, were they not?—A. Yes, sir; they were under the control of the mayor until Saturday night. Saturday night Johnson came down street and asked Lea what he should do when he met him. Lea told him just to call out the Danville Grays; and he asked him if he must call out the Douglass Guards, and he told him no, he would not advise him to, and he called out the Danville Grays, and they were ordered out, and Johnson just got Lea——

(The chairman objected to witness testifying as to the orders given.)

Mr. VANCE. I do not ask specially for any orders; my object simply was to show that the military when called out were under the control of the mayor.

Q. What are the politics of the judge of the hustings court?—A. Readjuster.

Q. What are the politics of the clerk of that court?—A. Tom Hanlan. I don't know.

Q. Do you know who draws the juries?—A. I don't know that I do. I think Tom Hanlan has that to perform.

Q. The clerk and the judge, I have been informed, select the jury?—A. Tom Hanlan is commonwealth attorney, and Mr. Reardon is clerk of the court.

Q. Well, what sort of a time did you have on the day of election? Was there any disturbance at all?—A. None whatever. Very quiet.

Q. Did you hear of any disturbance anywhere in the State of Virginia on the day of election?—A. I did not.

Q. Nowhere?—A. No, sir.

Q. What was the vote of that county as compared with other votes? Was it greater or smaller?—A. Of which, Pittsylvania?

Q. Pittsylvania County?—A. I do not know how that is.

Q. How far is it from the corporate limits of Danville to the fourteenth precinct, called Wimbersher's?—A. I don't suppose it is more than a mile from the corporate limits.

Q. How far is it from the corporate limits of Danville to the voting precinct of New Design?—A. That is some three or four miles. I know that the niggers voted very freely at Wimbersher's. That is what I heard.

By the CHAIRMAN:

Q. You say that the negroes applauded Sims loudly?—A. They did.

Q. And that it excited the negroes. Did it excite the white men also?—A. I suppose it did to some extent. Though there were some white men there that night that I heard say——

Q. Not what they said, because I did not ask that; but just simply

were they excited by the speech?—A. I suppose they were excited to some extent. Almost anybody is liable to be. I do not think they were to so great an extent as the niggers.

Q. Because Mr. Sims, who was a candidate for the senate, said that this statement contained lies, and that these men had signed a statement that these things were true, the white people were very much excited about it. Is that the way you wish to be understood?—A. That is it.

Q. He went over this paper and stated this was all lies?—A. He did.

Q. And therefore these men had signed a paper that was false?—A. Had signed a pack of lies, and knew them to be lies, and signed it willfully.

Q. And that excited the white people?—A. They were excited, but they governed their passion.

Q. This is a Democratic pamphlet, is it not—a political tract?—A. Yes, sir.

Q. And it was contested by Mr. Sims, who was a candidate for senator, and he denounced it as a pack of lies?—A. He did.

Q. Suppose it should turn out that some of these statements in here are actually lies—false—would you then blame Mr. Sims for denouncing them as lies?—A. If he knew any number of them to be false; if he knew it to be a fact and they were, he would have a right to stamp them, but he would not have a right to stamp every man as a malicious liar, a scoundrel, and a perjurer.

Q. But he would have a right to say that these men had signed the allegation that these were truths when they were in fact lies. Do you say that Mr. Sims declared these men to be liars?—A. He did.

Q. Because they signed their names to this paper, which contained lies?—A. That is what he said.

Q. And that excited the white people. Now, let us go back to this transaction. You, and Mr. Lea, and Noel, three young men, I suppose—are they young men like yourself?—A. Mr. Lea, I do not know exactly what his age is; he is a married man with two or three children.

Q. That you were at a Democratic meeting, armed each of you with a pistol?—A. I do not know that the others were armed.

Q. Well, Mr. Lea was armed, because he fired his pistol.—A. I do not know where he got his pistol from.

Q. You didn't know whether Mr. Noel was armed or not?—A. I didn't.

Q. At any rate, upon the suggestion that Mr. Noel had been insulted, you went down when the public feeling of the town was at a red heat on politics, armed as you were, you three to attack one man who had insulted you?—A. We did not go to attack one man; we went to see that this man was not overpowered by the mob.

Q. You went down as witnesses and stood by and saw Noel attack Lawson, give him a good round beating, and then you saw Lea shoot down one man?—A. I did not see him shoot him down at all.

Q. You saw him shoot?—A. I did not see him shoot.

Q. Well, you heard the pistol?—A. Yes, sir; I heard the pistol.

Q. And you, armed with a club, struck him?—A. A small walking-cane.

Q. And then, because that excited the negroes, and made them demand your arrest or something to be done to you—— A. They did not demand my arrest.

Q. Well, they insisted that something be done with the men that started this thing that led to the firing upon this crowd of negroes and their dispersion.—A. I don't know whether that was what first started

it or whether the niggers or whites fired first. I don't know; the firing took place below me.

Q. You think this speech of Sims, made the night before, excited your people; that it stirred up your blood so much that it led you to do this; and that Sims's speech was simply a reply to a political pamphlet?—A. I do not think it stirred up our blood to cause us to take action. I think it stirred up the niggers to be more insulting to the whites on the street than they had been and would be otherwise, and that created the fist fight.

Q. Now, let us go back of that. You say this man Lawson insulted you. That was before this meeting was held—the day before?—A. Two days before.

Q. And that that was a simple motion he made towards you. Were you armed then with a gun?—A. I had a gun just coming in from hunting—a bird gun.

Q. And because he made a motion you took offense at that, and turned upon them, and the result of that controversy you have given us in full. Did he do anything to excite your ire except what you have stated that you recall; was there any other circumstance; had you any previous controversy or quarrel with him?—A. I never knew who he was before.

Q. And on account of this gesture you had the colloquy that followed. Had you told that to Mr. Noel; did Mr. Noel know of this affair?—A. No, sir, I never had mentioned it to Mr. Noel.

Q. But Noel coming to you with his grievance against the same man induced you to go with him?—A. Charley Noel did not tell me what the nigger's name was, and I did not know what the nigger's name was until after this fuss with Noel. Then I found his name was Hense Lawson, and I knew him to be the nigger that I had met on the corner the day before.

Q. You made use of this expression that you would kill him on the spot unless he would do so and so. What induced you to say that?—A. The same as would induce you or any other man; if I was to put my hand in my hip pocket and take something out and place it in my overcoat pocket, and place my hand in my overcoat pocket, and walk toward you, and you had a gun in your hands, I would not think you were at all wrong in asking an explanation or not to come nearer.

Q. Well, did he not at once say he had no design?—A. He did not until after I had made this threat, as you may term it, and until Mr. Covington stepped out before us and spoke to this nigger.

Q. The excitement between the races had existed before this speech of Mr. Sims. I will ask you whether there was not prior to this speech of Sims' (and this in the best evidence of it), whether there was not great excitement between the whites and blacks, between the Republicans and Democrats?—A. There never had been any demonstration of it before that I know of. The niggers were insolent, more so than they had been, but there never had been any outbreak of it except they were very rude on the streets; did not hesitate to walk up against you on the sidewalk, or buck against you on the sidewalk; gave no quarters at all.

Q. Did they treat you with more insolence in that respect than was commonly extended to them? I ask you if you would regard the same treatment by white men to colored people as impudence and insolence that you would regard from colored people to white people? Perhaps that is a fair question.—A. I always, if I am walking down street, give them a quarter, and if I meet two men walking together I give them half the sidewalk; but I have repeatedly had niggers walk right square

up against me, within the last twelve months, and not offer to give me a portion of the sidewalk at all, and I have seen ladies have to walk around nigger men on the street.

Q. Was that because of political excitement or because of bad breeding; what do you call it?—A. You may term it either you please; I thought it was from the government we had in town at that time. The officials in office there, and their conduct.

Q. Don't you know that the mayor had issued a proclamation in respect to such matters, and done all he could to prevent it?—A. What matters?

Q. Acts of insolence on the part of rude people, white or black?—A. I had not seen it. If he had I had never seen it.

Q. I will ask you whether you did not hear Mr. Edward Hatcher say, "Now is the time to shoot, fire!" before the firing commenced there?—

A. No, sir; I did not.

Q. I will ask you if you have never said to any one that that was so, that you had heard that remark; did you never tell any one that you heard Hatcher say so?—A. No, sir.

Q. Well, at one time, after the first firing commenced, you have narrated a conversation with some colored man in which you advised him to go away, that you did not want any one hurt?—A. Did not want any well disposed colored men hurt.

Q. Did you expect at that time what occurred afterwards, the firing upon this crowd?—A. I knew that if the niggers insisted in revolting against the efforts of the policemen to disperse them and exhibiting their pistols it was reasonable to suppose that that would be the only termination of it; it would be a street fight.

Q. And you anticipated at that time that there would be a general firing upon the crowd. You say that there were 15 men with Lawson; 15 men of his associates coming in concert with him, or only walking along the street?—A. They seemed to be walking down the street leisurely in groups, some in front and some behind him, and when Charley Noel stopped and spoke they gathered around.

Q. Is not that always the case when people pass along—passing in detached groups?—A. Not at that hour of the day.

Q. This was 3 o'clock in the afternoon?—A. Yes, sir; that is time most of the hands are in the factories.

Q. But you say the crowd augmented?—A. Yes, sir.

Q. And would not a crowd always augment when a fight was going on?—A. Not so rapidly nor in such numbers.

Q. Well, don't you think that in a town of 10,000 inhabitants more than a hundred people would gather in two or three minutes?—A. Yes; and there were more than a hundred.

Q. Well, that was simply to look at the fight, was it not? A dog fight would gather the same crowd, would it not?—A. I don't know whether it would or not.

Q. Were there any women and children in the crowd?—A. There were some on the streets. I did not see them; none right there by me. I suppose there were; I do not remember recognizing any. I heard that there were.

Q. The shooting of Holland, about which you have testified, you say might have occurred by firing from the line below, from some one on the edge of the pavement?—A. It had to come from some one in the street; could not have been fired from the sidewalk.

Q. Could not have been fired across that line?—A. It could have been across on the opposite side of the street from where the whites

were, but it could not have been from the side of the street where I was amongst the whites there.

Q. Well, if Holland was shot by the opposing crowd he is the only one you know of that was shot?—A. He is the only one I know of that was struck right there in our crowd. Seward was shot; he was down at the market corner on a market wagon when he was shot; who he was shot by I do not know.

Q. I wish you would state whether, that being Saturday evening, when the tobacco shops I suppose, are closed earlier, a larger crowd of colored people were not on the streets than usual?—A. They generally are, later in the evening; not at that hour. The factories never close that season of the year before 4 o'clock.

Q. Is not that market evening in Danville?—A. I suppose every evening is.

Q. Is not Saturday more so than others?—A. I don't know that it is.

Dr. B. B. TEMPLE sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you been there?—A. I have been there nine years, last August.

Q. Were you present on the 3d day of November, at what is called the Danville riot?—A. Yes, sir.

Q. I wish you would state in your own way what you saw there, and what you heard there; how you came to be there, and what occurred in your presence. I will ask you first if you were present at the meeting at the opera house?—A. Yes, sir. You asked me to tell in my own way. Will you permit me to go back?

Q. Well, not at present.—A. Well, I was at the opera house meeting.

Q. What led you to leave the meeting, or was the meeting broken up by the riot?—A. The meeting was held to indorse a pamphlet, which you have here, which was unanimously indorsed. Shortly after the meeting was called to order, there was a stir made in the opera house. Somebody said there was a fight out on the street. Everybody there was in a very great state of excitement; both parties, niggers and white people.

Q. Were there any negroes in the meeting?—A. I do not know. There was some six or seven hundred men there. The whole opera house was full. Nearly every available man in town was there. The crowd was quieted by the exertions of the chairman; and some other parties in the house said it was an effort on the part of some of the outside party to break up the meeting, and our men did keep quiet, and remained there until these resolutions were passed. I was somewhere near the door, and got out as soon as I could, and saw this crowd of men, some 10 or 15 (I do not know exactly how many, but certainly not over 20), fronting a large crowd of niggers, probably two or three hundred. I went on up there, and when I got there, they were using the most violent language, threatening these white men that the time had come to settle affairs there in Danville, and that they could shoot as well as white men could shoot, and using every kind—

Q. Was this before the fist fight?—A. This was after the fist fight. The fist fight did not attract anybody from the opera house. It would have done so, but it was stated by the chairman and a number of gentlemen in the body of the house that it was an effort to break up the

meeting. Some few minutes probably after I got there some parties seemed to be trying to allay the excitement, probably one or two policemen—I do not know who they were—and probably one or two of the citizens there; but they would not give way, and these white men would not give way. Finally somebody fired a shot, and the shooting commenced. The negroes run, and run mighty fast, and got out of the way in very short time. They fired some few shots, I suppose some twenty-five or thirty shots, and they fired some as they ran off.

Q. When you say “they,” what do you mean?—A. The niggers. From the threats, I supposed—I *knew* if they remained on the ground they would very soon get whipped, because the men from the opera house would soon be there; but I had no idea but what they could get away with what was there.

Q. You need not state what you thought. You say the negroes disappeared. I will ask you if you were armed at the time?—A. Yes, sir.

Q. Were the body of the white people who went out into the crowd armed? How many of them were?—A. From the opera house?

Q. Yes.—A. I don’t know anything about that.

Q. Did you fire with the rest?—A. Yes, sir; I was obliged to do it.

Q. How many times?—A. Four times.

Q. Why do you say you were obliged to do it?—A. Because I was fearful that the few men there would be overpowered by this large infuriated mob of niggers.

Q. Still you did not know anything about the previous fight?—A. Nothing in the world. I only found a crowd of my own citizens contending against an infuriated mob and I took the part of my own people.

Q. And you made no inquiries?—A. Made no inquiries whatever.

Q. Did you see any one else shooting?—A. No, sir; no more than it was in line of battle; these few men in there.

Q. You were formed in regular line, with supports on the right and left, were you?—A. No, sir; it was a straight line.

Q. Do you know how many pistol shots were fired by the whites?—A. No; I could not tell. It was all over very rapidly. Probably seventy-five shots may be.

Q. When did you arm yourself?—A. Well, I had the pistol some months before this thing occurred. If you wish to hear the object of my being armed I will give it.

Q. I simply asked the question.—A. It was a notorious fact that all the niggers were armed there, and we considered it absolutely necessary for our preservation.

Q. You say that you know that they were armed?—A. Yes, I know it. I have seen them with their arms exposed. I have seen the policemen arrest them and take their arms away from them, and have seen them with them in a great many ways.

Q. Where did you get your arms?—A. I bought my pistol from Mr. Schoolfield, a hardware merchant.

Q. Were there arms obtainable in Danville besides those at the hardware store, that you know of?—A. None that I know of. I never heard of any, or never know of any. There were plenty of arms there in the hardware stores. You could get them whenever you wanted them. There were three hardware stores I think.

Q. And you knew nothing at all about the controversy that led to this shooting; but you went and shot a few white men.—A. No, sir; I knew nothing of that.

Q. How did you fire; into the crowd of colored people, or did you fire in the air?—A. Fired right into them, sir.

Q. Did you hit any one?—A. I don't know.

Q. You did not fire at any particular person?—A. No, sir; my object was simply to disperse them. It was very disagreeable to me to have to do it.

Q. Did you fire at them after they commenced fleeing?—A. No, sir; I not only did not fire, but tried to stop it.

Q. How long before they went away?—A. The first volley was fired, I think, and they returned the shot; and about the second volley they broke and ran—ran very rapidly.

Q. Did you yourself participate in the excitement that prevailed in Danville before this election?—A. What do you mean by the excitement?

Q. Did you take any part in the discussions?—A. Yes, sir; simply as a citizen. I had nothing to do with politics. I, like every good citizen there, wanted to get rid of the terrible, miserable government we had.

Q. Did you say, also, publicly that, "If we cannot carry it with votes, there is another way to carry it"?—A. I do not recollect anything of the kind. I have said very often that I would either go away from Danville—if things was not changed I would either go away—if no resistance was made, that I would leave the State.

Q. Your complaint was that the negroes were armed with the ballot. Was that your complaint? What was your complaint?—A. My complaint was the misrule in our town; the singular spectacle was presented there of our city—the people who owned the city, the people whose interests are there, had no control of it. It was under the hands of United States officials and negroes.

Q. And you thought the men who owned the property ought to rule?—A. Yes, sir.

Q. And that people who had nothing but their labor ought not to participate in the rule?—A. No, sir; that was not the case. These people had it all their own way.

Q. Yes; but suppose the people who work, as the negroes do, and as most of the white people do—suppose they work; would you therefore deprive them of the right to vote?—A. Never, sir; and no attempt has ever been made in Danville to do it, to my knowledge.

Q. You thought that the men who owned the property ought to rule?—A. Ought to have some say in it.

Q. Well, the men who owned the property were never deprived of the right to vote, were they?—A. Yes, sir; but the other party was so manipulated that they had no show. I know we had a murderer for our mayor—a common, cold-blooded murderer.

Q. Then, because the majority of the people elected bad men for office, you thought you were justified in subverting them?—A. Not until advised. We promised there to obey the directions of our party leaders implicitly. Every man, woman, and child in Virginia in that election was doing all they could, and we were warned by every man in authority there to avoid every collision possible that we could. The night that this man made this incendiary speech there—the most horrible that I ever listened to—I was sent there then by Mr. Hurt, who said he understood that fifteen or twenty white men were listening to that, and they had gone there to make a row, and he had made every effort he could to get these men away.

Q. And because Mr. Sims charged that the political pamphlet was a series of lies—— A. I say that Mr. Hurt was fearful that Sims was

trying to create a row. He knew he was beat; he was afraid that he came up there for that purpose.

Q. Who said that?—A. Mr. Hurt, our senator.

Q. That is the opponent of Mr. Sims thought that Mr. Sims had very bad purposes in making that speech?—A. Yes; and he was trying not to have any difficulty whatever.

Q. And you thought that speech was so horrible it disposed to violence?—A. I thought it was the most villainous speech I ever heard a man make. I heard about fifteen or twenty minutes of it while I was trying to get these men, and did succeed in getting them away.

Q. What was the substance of the speech?—A. I will tell you; I heard him say (I did not hear a great deal of it, but what I did hear of it I heard him first say) that these men, calling them by name, who signed the pamphlet were liars, thieves, cowards, and perjurers. I heard that he had said that the white people in Danville were going to prevent them from voting; which he had never heard, except probably from the niggers.

Q. Well, that you do not know; that you cannot tell; we do not want hearsay.—A. No; he stated to these niggers, some large number of them (some six hundred or seven hundred probably) that they need have no fear of any white man in Danville ever injuring them, unless they came up in the dark and stabbed or shot him in the back. That was the thing *verbatim*.

Q. And you thought that justified you in shooting those men in the daylight in the face?—A. No; not at all.

Q. Well, let me ask you, Doctor (your name indicates a degree of intelligence), is there a purpose on the part of the Democratic people there to deny the colored people their right to vote?—A. No, sir.

Q. Or to express openly and boldly and freely their opinions?—A. No, sir.

Q. Was the speech of Mr. Sims any other than the speech of a candidate, probably an irritable speech? I never heard a speech on one side but what it always irritated me somewhat; and so with the other. Was there anything in Mr. Sims' speech outside of the usual latitude of political discussion, especially in arraigning what he called an unjust arraignment by the Democratic party?—A. I never heard of any such speech before.

Q. Well, did you ever hear any speech on that side before?—A. I have; several of them. I never heard any such thing before. I supposed the man was drunk.

Q. Do you want to swear that the man was drunk?—A. Oh, no; oh, no!

Q. Don't you know that Mr. Sims was an educated man?—A. Yes, sir; and his education has been put to a very bad use.

Q. In other words, you have a very bad opinion of Mr. Sims, and all the men he addressed?—A. And every decent man in Pittsylvania County is of the same opinion.

Q. The decent men are all of one party?—A. It is a well-known fact that all of our people are white men, with very few exceptions.

Q. And therefore all the other side must be very wrong and indecent?—A. It is pretty well known to the country, I suppose, that the colored men are not as well civilized and stand as high as white men. They are the Republican party.

Q. And therefore you wish to deprive them—A. [Interposing]. Not at all. The record does not show that. We beat them this last time by organization I suppose.

Q. Do you suppose that the people of Danville voted at the recent election, after the riot occurred?—A. The niggers? No, sir; I never said so. Some few of them voted; some 25 or 30. I do not recollect the exact number.

Q. Why did not they vote?—A. I cannot tell.

Q. Now, suppose the position had been reversed, and 150 unarmed white men—to take that to be the case, although you seem to think it differently—are overcome and fired upon, and dispersed by a minority of colored people well armed. Would you not think it a very great hardship, and would you rather not stay away from the polls than to risk your life?—A. I should have taken their side. If I had found two or three white men imposing on negroes, I would have taken their side.

Q. You say you did not know anything about the origin of the quarrel?—A. No, sir.

Q. And you did not know that the three young men armed had attacked one negro man, and that led to the quarrel? And you rushed into the crowd, and fired four times, without knowing the cause of the quarrel?—A. I don't think you state it properly. I say that they rushed upon us; we did not rush upon them. I should have been very glad to have avoided it.

Q. How did they rush upon you?—A. It is hard for me to tell, in an infuriated mob, how they did. It was only by the most vehement threats, and I cannot tell you everything they said.

Q. Were not all the white men in line, armed?—A. About ten or fifteen; yes, sir.

Q. And did you see arms in the hands of the negro men?—A. I saw several niggers fire. I did not know a nigger in the crowd; I don't think they were the best class of our niggers. I know a great many of them, and practice in their families; but there were none of our best class of niggers there.

Q. But you heard that there had been a fist-fight, and did not know what led to it?—A. I had not heard anything about it at all.

Q. And yet you went down and fired upon the crowd?—A. I certainly did.

Q. And you think that was right?—A. I don't see what else I could have done. I had no alternative.

Q. Was there anything to prevent the few white men there from stepping out of the way?—A. Except, probably, they would have got shot in the back. I think that would have been their fate.

Q. You think they would have been shot in the back?—A. I think so, yes, sir.

Q. Was there anything to indicate that that would probably be the result? Are the negroes so brave?—A. Not generally so. They are the most tractable people generally that I ever knew. I was born and raised amongst them, and they are the most tractable people I ever knew; but they can be excited.

Q. And yet, when they are excited, you would not think it right for a white man to step out of the way in order to avoid this firing upon an unarmed crowd of men, women, and children?—A. If they could do it without any danger to themselves I think probably it would be the best plan.

Q. Do you now say that they were in danger?—A. Yes, sir; I have said that before. Yes; I think they were in imminent danger.

Q. With six hundred white men in the opera house, within a few steps?—A. They were not down there.

Q. But could they not have known in a minute?—A. Could they have been there; but the firing was done before they came.

Q. What brought you there?—A. I came out before the meeting adjourned. The request was made that the people should not only indorse this paper, but should come up on the stage and sign it. I did not wait to sign it, but came immediately out of the door when the resolution was passed.

Q. Do you know of any arms being brought to Danville by any one?—A. None in the world, except the hardware stores keep arms for sale all the time.

Q. Are you a native of Virginia?—A. Yes, sir.

Q. You say you would have left Virginia if you could not have succeeded in resisting—if no resistance could be made to the powers that be. What were the evils that you were complaining of; what were the grievances?—A. Well, I do not think you would have asked me that question if you had lived in Danville as I have, but I can repeat a great many to you.

Q. I understand that crimes or violence had prevailed to a large extent?—A. Yes, niggers had waylaid men there. Our farmers coming in were waylaid in the suburbs, and some beat nearly to death and robbed. One time there they would not come in without a convoy. Our streets have been paraded ever since these people have been in power by drunken, noisy niggers, using abusive language. You could not stay out on your porch without the ladies' ears being offended with very offensive language. I have seen nigger men purposely congregate on the streets in crowds at the corners, and force ladies to walk out in the street, and they on the sidewalks. I have seen that time and time again. We have a great many streets there that are paved with a double line of rocks, just wide enough for one man to walk on. I have seen them when they put themselves purposely on both of them to drive a man out in the street. I have seen a good citizen shot down in cold blood by the mayor of the town, and I have seen him turned loose without being bailed by Coalition magistrates. I can state a great many reasons why I did not wish to live there.

Q. Don't you know that that man was indicted, tried, and acquitted by a Democratic jury?—A. I know that I do not know anything about a Democratic jury. I know nothing about the jury.

Q. Don't you know that these crimes or violences were committed more frequently against the negro than the white man?—A. No, sir.

Q. Have you not seen a statement of some sixty or seventy murders and atrocities of the gravest character committed mostly upon negroes in Danville?—A. No, sir; I have not seen anything of the kind.

Q. I will ask you if you ever heard of a case of a white man killing a negro, and putting his dead body in his house and burning the house to get the insurance on his own life?—A. Yes, sir; I heard of that.

Q. Did it occur in Danville?—A. It was said to be.

Q. Were they not mainly committed against negroes?—A. That was one. That man was acquitted by a jury not from our town. He was not tried by a jury from our town; could not get a jury to agree on it.

Q. He was tried, and is in the penitentiary?—A. Yes, sir; but they had to get a jury away from our town. It was the sentiment of our people to hang him immediately.

Q. That is what you would have done?—A. Yes, sir; beyond a doubt. I don't mean to take lynch law on him. I say I would have hung him on a jury.

Q. What you say, then, is no doubt true that crimes or violence of the

grossest character have been common in the county in which you live?—

A. Yes, sir; and I make no excuse for either side.

Q. But that they are committed more against black men than white men?—A. No; I never said that.

Q. Well, what do you think about that?—A. I say that heretofore, up to this present time, that the crimes have been committed, so far as my knowledge goes, by niggers against white men.

Q. Is it common to let them go by without indictment or prosecution?—A. I know nothing about that. I pay very little attention to courts of law. I only know that I am called very often to attend men who are butchered up.

Q. I ask you whether men were indicted for the murders of the 3d of November?—A. No, sir; not that I know of.

Q. Would it not be utterly idle to attempt to punish the men for that offense?—A. I think so; because it is utterly impossible to find out that any one man did the killing.

Q. Do you suppose, if the thing was brought home to a particular person it would be possible to punish any man in Danville for the murders committed on the 3d of November?—A. If you prove murders, I think you could, sir.

Q. Don't you call the killing under those circumstances murder?—A. No, sir.

Q. That firing upon those retreating fugitives was not murder?—A. They were not retreating when I fired upon them.

Q. You say no effort has been made to punish these particular murderers?—A. No, sir; I don't say so. There was a great many witnesses summoned before the grand jury, amongst them one of their own people—a colored man—and they failed to find any indictments. They could get no evidence, as I understood it, to convict any man.

Q. You say that the negroes are tractable when let alone? What do you mean by "let alone"?—A. Well, what I mean by it is that they seem to be cursed by politics, and men come down there and get to talking politics with them, and get them excited, and they get tired of work, and go and attend political meetings, and all such things as that.

Q. Then your remedy would be to keep them out of politics?—A. Oh, no; you see what I mean by tractable.

Q. Well, unless they are talked to?—A. Unless they are excited against the white people, or their employers, who take care of them in the winter time, these men who have been their friends—these people come down there and excite them.

Q. Well, don't you consider them very tractable when they submit to these wrongs, when subjected to the deprivation of the right to vote?—A. We never opposed that.

Q. Do you say that the object of this excitement is not to overcome the negro vote?—A. What excitement?

Q. The object of the excitement that exists in Danville that almost threatens to drive you out of the community?—A. I think it is always right to overcome bad government.

Q. Is it right to do it by unlawful means?—A. We have never attempted that to my knowledge. Niggers have voted in Danville ever since I have been there; no obstruction has ever been put in their way.

Q. Is not the excitement growing out of politics because they voted there, and, as you think, voted wrong?—A. Well, they are ignorant, and these men come and say if our party succeeds they will be put back in slavery, and all that

Q. Did you ever hear anybody tell that they would be put back into slavery if they voted the Republican ticket?—A. I never did.

Q. Then you heard somebody else say that?—A. Yes, sir; and it is beyond doubt so. I have heard truthful men say so.

Q. Yes; and did you ever hear any speaker of any prominence state that?—A. Well, the question you asked me—those are the facts that I believe is the cause of their excitement, is, amongst other things, the threat that they are to be put back into slavery, one cause of their acting in the way they do.

By Mr. VANCE:

Q. I suppose you have known colored people and have had to do with them all your life. You say they are tractable people when let alone?—A. Yes, sir.

Q. They are kindly, are they not?—A. Yes, sir.

Q. I will ask you if you ever knew of an outrage or collision between the white people and the blacks in our country since the war, since they have been given the right of suffrage, that there was not some mean white man at the bottom of it?—A. That is exactly my opinion of it.

Q. When these bullets begin to fly, did you ever know one of those mean white men to stand up for them?—A. Never knew any one of them to do that.

Q. They always manage to get out of the way, don't they?—A. I think so.

Q. What politics were the authorities of your town?—A. This man, the mayor, is a Readjuster-Coalitionist, whatever you call them, I don't know what they are—anything. In other words, he is a man that is opposed to the respectable portion of the community in everything possible.

Q. Who is your sheriff?—A. The sheriff is a Republican, so he calls himself; he calls himself a Republican.

Q. And the judge of your court?—A. The judge of the court is a Readjuster or Coalitionist.

Q. And the prosecuting attorney?—A. He was elected on a Coalition ticket.

Q. Do you know if they made any threats to bring these people to trial for the riot in Danville?—A. No, sir; I know very little about the working of the law. I know there was a grand jury in session.

Q. And the grand jury failed to find a bill, did it not?—A. Yes, sir.

Q. Do you know how that grand jury was selected?—A. I do not.

Q. Are you acquainted with the method?—A. I understand the judge and the clerk of the court generally have the direction of that. That has been my understanding; I am not certain about it.

Q. Do you know of any warrants issued by the judge, or any warrants sworn out by the prosecuting attorney, for the arrests of any persons concerned in this riot?—A. No, sir; none.

Q. No attempt at all has been made to arrest them?—A. No, sir; Judge Blackwell saw it, he says.

Q. Would there have been any trouble in executing a warrant or bringing them up for trial?—A. None in the world that I know of. The power is in the hands of the proper authorities.

Q. Well, as it is now, would any of your people there resist arrest?—A. None that I know.

Q. None at all?—A. No, sir.

Q. How long did the disorder that was on the street continue that Saturday, the 3d of November?—A. I suppose in an hour proba-

bly the people were quieted. Colonel Cabell was there, and he got down out of the house as soon as he could, and I never heard a man make as strong efforts as he did. There was great danger of a riot being in the town, sure enough, after this thing commenced. The people did not know what the trouble was. The people rushed out of the opera house. They did not know what had occurred, and there was great excitement. Some seven or eight hundred men run for arms, and run to the hardware stores and everywhere else, but as soon as they came out there he persuaded them to be quiet, and they did so. He used every effort in his power, and succeeded in stopping them from committing further acts of violence.

Q. Now, if I understand you, when you came out of the house and got up to the scene of where the fist fight had taken place you saw ten or fifteen, or not to exceed twenty, white men standing on the sidewalk in the presence of two or three hundred infuriated negroes?—A. Yes, sir; I think probably twenty men in all went along as I went, probably in the whole number about twenty.

Q. The whole number of the white race in that crowd did not exceed twenty?—A. No, sir.

Q. And you say you did see colored men shoot?—A. Yes, sir.

Q. Did see them have weapons in their hands?—A. Yes, sir.

Q. Did hear them use angry, violent expressions?—A. Yes, sir.

Q. That they did press on to that little crowd of white people?—A. Yes, sir.

Q. You thought they were in imminent danger or you would not have drawn your weapon and fired?—A. Yes, sir.

Q. And you say that on the second fire the colored people broke and ran?—A. Yes, sir.

Q. You then ceased and tried to restrain everybody else?—A. I did, sir. I made every effort in my power to assist Colonel Cabell to stop the further pursuit, and stop the shedding of blood, if possible; and he was successful in doing it. We had a very infuriated mob of people there at the time. If it had not been for his efforts I don't know what would have happened.

Q. Do you know any fact decisive, if so I charge you to tell it, tending to show that this riot was procured to be brought about and brought about by the white people for the purpose of intimidating the negroes at the election?—A. None whatever. I can swear on the Bible that our instructions were exactly to the opposite—to do nothing that would produce a disturbance. In all the club meetings it was the effort on the part of the leaders to let nothing be done that would create the slightest disturbance that we could possibly avoid.

Q. Was there anything said about it in the meeting that day in the opera house, to refrain from violence?—A. It was stated, as I have stated here before, that it was nothing but a street fight outside, and for men to keep their seats.

Q. Who stated that?—A. A number of men. I think Colonel Cabell.

Q. Who presided over the meeting? Did Colonel Cabell preside?—A. I can't say certainly.

Q. And if there had been any design to provoke the riot there, there would not have been efforts made, would there, to have kept the people in the house when the riot began?—A. The fight, sir, was nothing but an accident, so far as I could see.

Q. Did you know this man, Hense Lawson?—A. No, sir; I never heard the name.

Q. You don't know what his character is as a man of violence, or anything of that sort?—A. No, sir; I knew nothing of him at all.

Q. You were interested, were you not, in the efforts to throw off this government of the town of Danville that was injurious, and you were uniting with other citizens to try to throw it off, were you not?—A. Yes, sir.

Q. If there had been any plan to produce this riot for this purpose, don't you suppose you would have been informed of it, naturally?—A. I suppose so. I only know that the clubs, which includes all our citizens—we had every man registered—and I don't think hardly a man absented himself from the club—and those instructions were given to all—to try to avoid anything like difficulty in every possible way; to do nothing that would excite any trouble.

Q. Did you attend any of the wounded that were wounded in this affray?—A. Yes, sir; I attended Mr. Seward, who was shot through the side; and I assisted in performing an operation on Mr. Holland's head; and I made a post mortem, Sunday morning, on a nigger. I was summoned by the coroner to do that.

Q. What negro was that?—A. I do not know his name.

Q. Where was he shot?—A. He was shot right through the head.

Q. How many were there killed in all or died of their wounds?—A. I don't know of my own knowledge. I only knew three that were killed there that evening. The one that was wounded, Doctor Douglass said he was not dangerously wounded, but he afterwards got erysipelas and died from the effects of it, which makes four. I don't know how many were wounded. I saw two or three niggers walking around a day or two afterwards with slight wounds.

Q. Did you see any marks of bullets on the walls of Woolfolk & Blair's house?—A. I never examined it. I have seen on a brick house just below it several shots. I never noticed the wooden house. Woolfolk & Blair's is the wooden house.

Q. Well, in the situation in which the whites were standing, and the colored people, which party do you think shot those bullets against the brick house?—A. I don't see how the whites could have done it. They had their backs to it.

Q. You say it is a well-known fact that the most of the colored people there go armed?—A. Yes, sir.

Q. How far is it from the town to Utimbeshers' precinct?—A. I suppose it is three-quarters of a mile from the suburbs. I don't know that exactly. It is a mile and a half from the center of the town, probably.

Q. Do you know whether there was a large colored vote polled there that day?—A. I only know the report that night at the club meeting, brought by the election officer.

Q. What was the report of that meeting?—A. Well, they had some three or four hundred majority there.

Q. Was that their usual majority, or more than usual?—A. I don't know. He said that the majority was larger than it had been.

Q. How far is it from Danville to New Design precinct?—A. That is about 4 miles, I think.

Q. Were you at New Design on the day of election?—A. Yes, sir. I went down there with a message for our electors in regard to something, I don't know now exactly what it was; I carried a message down there.

Q. Did you see the crowd that was there?—A. Yes, sir.

Q. Were any colored people present?—A. I saw two or three hun-

dred of them on the road. There were a great many out on the road; I suppose they were hunting.

Q. Out for a holiday?—A. For a holiday and hunting. I don't think they came armed for the purpose of creating a row; but most of them had shot-guns, I think, probably, for hunting.

Q. Do you know whether they voted there or not that day?—A. I heard they did not.

Q. Did any of them give you any reason why they did not vote in town?—A. I asked several of them why they did not vote, they said simply, "feared."

Q. Was any effort made to get them to the polls, and assure them of protection?—A. I think there was. There was a card issued to that effect—that they would be protected.

Q. Now, in your opinion, could colored men have voted there without restriction?—A. Why, they had troops there to protect them, and not only white men did not interfere with them but I saw numbers of white men trying to persuade them to vote.

Q. They had troops sent there by the governor of Virginia to protect them, had they not?—A. I saw a number of men trying to have them vote; I did not myself. I did not care a cent myself whether they voted or not. Some took a different view of it, and tried to get them to vote.

Q. Pittsylvania is Democratic anyway, with a full vote?—A. Yes, sir.

Q. You did not need, in order to carry that county, to intimidate voters in Danville?—A. Yes; we could give them all the votes they claimed, and have the county.

Q. You had the county beyond a doubt?—A. Yes, sir—the book shows the statistics—if every man had voted.

Q. Referring to the statement that you have made in corroboration of this circular, that the city government was very bad, state who your magistrates were.—A. One of them was a man by the name of Walter Luxor. He has since absconded for theft, I understand.

Q. Run away on a charge of theft?—A. Yes, sir. The other was a yellow boy. I didn't know anything about him specially one way or the other. The three Coalition magistrates, as they call them. The other was a man by the name of Robinson. I think, probably, the yellow boy was the best of the three.

Q. Were two of your magistrates discharged from office?—A. Yes, sir; they were appointed officers by Judge Blackwell.

Q. Were there two discharged before that?—A. Yes, sir.

Q. By whom were they discharged?—A. I don't know. I know that there were two magistrates that were discharged for malfeasance; but I don't know.

Q. And there were two put in their places by Judge Blackwell?—A. No, sir; I don't say that. I thought you were trying to get at the three original magistrates that were elected on the Coalition ticket.

Q. Yes; but there were two of them, I am informed, that were discharged for malfeasance.—A. I don't know that fact. I know that there were two others afterwards that were, as I understood.

Q. That were discharged?—A. Yes, sir.

By the CHAIRMAN:

Q. Were you a member of the coroner's inquest on one of those negroes killed?—A. I was summoned there to make an examination of him; yes.

By Mr. VANCE:

Q. Mr. Sherman asked you if this man, your mayor, was not acquitted by a Democratic jury. What was your answer to that?—A. I don't know; I don't recollect it.

Q. Where was he tried?—A. At Danville. I don't know what the jury was composed of. I think I might have answered in the affirmative; he asked me so rapidly.

Q. You cannot state how the jury were?

By Mr. SHERMAN:

Q. You were not on the coroner's jury then?—A. No, sir.

Q. Were you summoned to make the autopsy?—A. I was going up the street, and met this coroner's jury, and they said they could not find a physician, and would I go and do it.

Q. There was no question in regard to your being present at the killing?—A. No, sir.

Q. You spoke about the people being excited and running for arms; was not that the white people?—A. Yes, sir.

Q. The negroes did not run for arms, did they?—A. No, sir; that was before they found out what was the matter.

Q. Yes; in the evening after the riot.—A. Immediately after the riot.

Q. They called out the Danville Grays, and ran for arms—the white people?—A. No, sir; the Danville Grays was not called out until after the disturbance had been quelled.

Q. Don't you know that they were there within ten minutes after the shooting?—A. No, sir; nor in thirty neither.

Q. But you heard of no attempt on the part of the negroes to arm themselves for a conflict?—A. No, sir; nor did these people, except for protection of both parties. There was no attempt made——

Q. [Interposing.] And you think it was for the protection of both parties, then?—A. It was supposed to keep good order in the town, to prevent any further trouble. The disturbance was all over when he got his troops out, and the sheriff took charge of them, and read the riot act.

Q. Don't you know that during the excitement there was a threat to proceed with a mob of white men to clean out the internal-revenue officers?—A. I don't know; I was afraid probably it might be done, but I know of nothing of the kind.

Q. You know of no movement in that direction? Didn't you hear Colonel Cabell claim the credit for preventing that?—A. No, sir; I only know that Colonel Cabell made every effort in his power to stop the disturbance. Colonel Cabell and I never did it with anybody.

Q. Were you present at Colonel Cabell's speech on Main street, near Union?—A. Near where?

Q. Near Union street; near the junction of Union and Main, opposite the Arlington. I infer from the inquiry that it was probably a meeting after the riot was over.—A. No, sir; they congregated there. The people came from every direction there, and he got upon the steps and begged them to desist and go home, and not to have any trouble. He used every effort in his power to quell the disturbance.

Q. You say there were instructions to do nothing to produce a disturbance; but did you not regard the actions of these three young men, under the circumstances, as a violation of those instructions?—A. I know nothing about that; I don't know anything about the fist fight on the street; I know nothing about that whatever.

Q. You do not know whether that was in violation of instructions or

not, and whether it was in pursuance of the plan?—A. Oh, I think it would have been better for these young men not to have got into the disturbance.

Q. You do not know whether it was part of the plan or their own impulse?—A. Taking everything into consideration, I suppose if it had been part of the plan that these men would have rushed down, instead of being told that nobody knew anything about it or thought anything of it.

Q. Still there were enough there?—A. There were enough men there to have swept all the niggers away. If those men had been out there this thing would not have occurred; they would have dispersed and gone away without it.

Q. The negroes would have been overawed you think?—A. Yes, sir, I think so.

A. H. BLUNT sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you been there?—A. I have been there about five years, or nearly six years, I believe.

Q. Were you in Danville on the 3d of November last, when the riot occurred?—A. I was.

Q. Were you examined in regard to this matter before the committee of forty?—A. No, sir; I was not. I was not examined there; I was examined before the grand jury.

Q. What is your occupation?—A. I am a photographer.

Q. When did you first know or hear of the riot that occurred on that day?—A. I was in the opera house.

Q. At the meeting?—A. Yes, sir.

Q. State what occurred.—A. Well, I went into the opera house, but did not take a seat as I went in, but went in the back portion. It was remarked that some one had been shot on the street up about Mr. Woolfolk's, and I looked out the window and I heard the remark that Mr. Ferguson was shot, a gentleman who resides in Danville, and I immediately rushed to the door and met Mr. Bill Averett, the shoe-store-man, at the door; he deals in boots and shoes. As I started down the steps Mr. Averett remarked to me, "Why don't you fellows go up the street? Go ahead quick. They are fighting up there;" in about that kind of a tone of voice. I was not armed. I never carried any arms. I rushed in to Mr. Valentine's store, went by the counter in his presence and picked up a revolver and rushed up the street as hard as I could go, and as I got opposite Mr. Gray's shoe-store the firing commenced—I suppose forty or fifty paces, within sight of where the firing commenced; and as I got at Mr. Averett's corner the stampede had commenced and several negro men ran over me, pushed me over, knocked me down at Mr. Averett's corner. I suppose that was thirty paces from where the firing commenced; that was as far as I got.

Q. Within thirty paces?—A. Yes, sir; I think it was about that.

Q. Did you fire?—A. I didn't shoot at any one.

Q. You didn't shoot?—A. No, sir.

Q. Was your pistol charged when you got it?—A. Yes, sir; the pistol was loaded.

Q. You didn't fire it then?—A. No, sir; didn't fire at any one at all.

Q. I again put the question to you, whether you did not yourself shoot your pistol at the crowd that day? You say you did not?—A. I said that I did not shoot; yes, sir.

Q. Your pistol, then, still had its charges in?—A. Yes, sir; I loaned my pistol to a gentleman who was summoned on the police force in twenty-five, I suppose, or thirty minutes after that, and remarked to him at the time that he would find it as I picked it up in Mr. Valentine's store.

Q. Who is Mr. Valentine? Is he a hardware man?—A. Well, he has an auction house and sells pistols out of that house.

Q. Is that part of his regular business?—A. Yes, sir; he sells pistols as part of his regular business. He has done it ever since he has been there. I have been near him for five years.

Q. Was there any firing near you?—A. No, sir; the firing had ceased when I got just beyond Mr. Averett's shoe store, when these colored persons run up against me. I heard three or four shots just about the time I got there. I had the pistol in my hand making for the firing as fast as possible. I was accused of having shot, and several white people said they saw me shoot, after these pistols went off. I had my pistol in that position [indicating]. Now, a gentleman in the market said he was confident that I shot. He told a gentleman so in Danville. But I didn't shoot. My pistol did not go off. If it did I didn't know it, and it had the balls in it afterwards; but I went there with the intention to shoot if my fellow-man was being shot down.

Q. Did you know the cause of the controversy?—A. I did not know a thing about it. Mr. Averett says, "You fellows go up the street quick; they are fighting up there."

Q. How many white people in the line fired?—A. Oh, I could not see any firing at all; I didn't see any firing at all; didn't see any man fire.

Q. The firing had all ended before you got there?—A. Yes, sir; I saw some gentleman in front of me; I didn't know who he was; don't know whether he fired or not; but when I had my pistol that way [indicating] there were several shots being fired at that time after the bulk of the shooting had ceased.

Q. It is but fair to you that I should say to you that we were informed by a witness that he saw you fire, and fire into the crowd after they were in full retreat, but we give you the benefit of your denial with great pleasure.—A. I can prove by the most reliable colored man, I reckon, in Danville—I can prove that to be erroneous by him. I can prove by a dozen good colored people and white people, too, that I got no further than that, and went from there over to Mr. Joplin's store, and then I went up to where Colonel Cabell was with one pistol—I was accused of having two, one in each hand. Several gentlemen in this crowd said they thought I had two, but I never had but one.

Q. Did you go up to the Arlington where Colonel Cabell spoke?—A. I was within three paces of Colonel Cabell while he was speaking.

Q. Was there any movement made or suggestion made in that crowd to go to the internal-revenue offices with a view to cleaning them out?—A. I never heard of that until the day after that. I never heard a word of that at the time.

By Mr. VANCE:

Q. There was a state of excitement there very extraordinary, wasn't there?—A. Very extraordinary state of excitement.

Q. Among both races?—A. Yes, sir.

Q. To what do you attribute the most of it?—A. Well, I attribute it to insolence on the part of negro women and negro men in that town of Danville. That is my attribution of the fact. I think if those two gentlemen there had seen their daughters slapped off of the street as I have

there, and knocked off in the mud by negro women, they would have been like Dr. Temple; they would have felt like not only leaving Danville, but the State of Virginia.

Q. And you think that was intensified by the speech of Sims?—A. I think it was, to some extent.

Q. Now, when this row occurred that day, do you know of any circumstance, direct or indirect, tending to show that that was a preconcerted thing?—A. Not at all. It was not a preconcerted thing on the part of any white men in Danville.

Q. If it had been preconcerted do you suppose you would have been informed of it?—A. I heard such remarks as this the evening prior about such men as Mr. Harrison. I heard three negro men there say, "Cuss old Harrison," and such remarks as that I heard the night before that in front of my gallery. Three negroes met out there and cursed the Conservative party, and everything of that kind. I can tell you a great many little things, and thousands of them enough to infuriate any respectable class of citizens.

Q. So you saw nothing to show that the riot was preconcerted?—A. A premeditated affair? No, nothing at all.

Q. You think it grew naturally out of the intense sharp state of excitement there was there between the two parties, intensified by rudeness and insolence?—A. Yes; I think that rudeness and insolence had been increased by a class of low down niggers, who, I think, had drawn with them some good colored people. There are some I like very much there, but then there was a low class of colored people there that created all the trouble.

Q. In a town like Danville, which is a flourishing town and attracts a great many laborers and capital, is there not generally a large class of floating negroes coming, you don't know from where?—A. Yes, sir.

Q. Having no connection with the people, white or black?—A. Yes, sir; I have heard it remarked by a great many ladies and gentlemen, too, that the bad class of negroes from the country all flock to Danville; but I must say for Danville that they have some good colored people there, and I respect and like them very much, and they act as good citizens.

Q. Did you see any colored men engaged in that row that you know?—A. No, sir; I didn't see one. I didn't see a nigger that I knew at all, and I have thought about it frequently since, and I could not imagine or think that I had seen one in the whole town that I was acquainted with.

By Mr. SHERMAN:

Q. You think that the cause of the excitement there among the white men, Democrats, was because of the disrespectful language and conduct by colored men and women?—A. I do, certainly. I think it was brought about in that way.

Q. Don't you think it may also be fairly attributed to the overbearing manners and insolence of white men who have been accustomed to slaves? Assume that the great body of the white people were the owners of slaves, masters of slaves, and owned these men as property, would they forbear and tolerate any conduct from these blacks, except such as became slaves?—A. How do you mean that?

Q. Don't you think that the fact of this excitement grew out of the previous existence of slavery?—A. The authority and privilege that existed over slavery prior to their freedom?

Q. Yes.—A. I do not hardly think so.

Q. And that a degree of deference was demanded from the colored people that would not be expected of any class of white people? I mean, by the common sentiment and natural instincts of education, would not that be the natural effect?—A. Well, sir, it might probably be true that way.

Q. Would these people resent, on the part of laboring white people, the same conduct that they resented so severely from the colored people?—A. They had not in Danville; they had resented but very little from the niggers. They had taken more, and it seemed they were trying to take everything; and they became much worse toward the last.

Q. Did you see any cases of the kind you refer to, of gross insolence?—

A. I certainly have. I heard a very nice lady in Danville tell me—

Q. That is not the question. I did not ask what the ladies say, but what you saw yourself. Did you see this thing?—A. Yes, sir; I saw a negro woman slap a little girl off the street.

Q. Might not that happen with rude people at any place or any time?—

A. Well, it was a general thing. I live upon Main street right above the Arlington, and I have seen several cases of that kind. I have seen women knock up against white ladies. I have seen them do it on purpose. I have seen gentlemen carrying a lady to church or to the opera house, and have seen a negro man burst right through their arms; burst right through them.

Q. Would not such acts of rudeness occur in any community, and would it not occur especially in great cities?—A. No, sir; I don't think it would at all.

Q. Can you give the name of any such person?—A. I can give you the name of this gentleman, Dr. Matthews, a gentleman who occupied a room in my gallery. If it had been a rare occurrence I would not suggest it at all, but it was an every-day occurrence. It was all the time; it got worse; white people could not live in Danville. Negro women said prior to this riot that they wanted to see the streets run in blood.

Q. I am not asking what the women say, but what you say, you yourself. I ask you would not the same acts occur in any city of the United States?—A. No, sir; I don't think there has been anything to compare with the town of Danville. The people there are worse than any town in America. I would not have staid there. I had made my arrangements. I had written off to sell out there and leave Danville.

WASHINGTON, D. C., *February* 15, 1884.

E. M. HATCHER sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. I have lived there twenty-two or twenty-three years.

Q. Were you present at the time of the riot in Danville, on the 3d day of November?—A. I was not present at the time it commenced.

Q. When did you first know of it?—A. I didn't know of it until after it had commenced; I don't know how long after it commenced. I heard of it, and went to where the crowd was.

Q. What was the first thing you saw; where were you; in the opera house?—A. No, sir; I was not in the opera house.

Q. Where were you when you heard the first cry?—A. I was in the Virginia House at the time of the commencement of the riot.

Q. Where did you go from there?—A. I went down in front of Ruffin & Woolfolk's office.

Q. On Main street?—A. On Main street, in Danville.

Q. Were you armed when you went there?—A. I was not.

Q. Did you get arms on that occasion?—A. No, sir.

Q. Did you have no arms?—A. I had nothing more than a pocket-knife.

Q. How many white people were there at that place when you joined them?—A. There was, I suppose, some twenty-five or thirty on the sidewalk.

Q. How many colored people?—A. Well, the streets were pretty well filled up; the middle of the street was pretty well filled up with colored people.

Q. Men, women, and children?—A. I didn't see any women; no children; I only saw men.

Q. What occurred? Give your own narrative of what you saw there after you went up.—A. When I got there I saw the darkies crowded in on the white people. The white people were upon the sidewalk, and the darkies in the middle of the street.

Q. Had the fight occurred at that time?—A. The fight had commenced down at the lower end, below where I was. I didn't see any part of the commencement of it.

Q. Go on; what did you see?—A. I saw the darkies crowding in upon the white people, and after I had been there, I suppose, a few minutes, the firing commenced, but I could not say which side it commenced on, whether it commenced with the whites or the blacks.

Q. Where did you stand; among the white people?—A. I stood among the white people.

Q. On the pavement?—A. Yes, sir.

Q. Did you hear the command of fire given?—A. Yes, sir.

Q. Who gave that word?—A. I could not say positively who it was gave it.

Q. Did you not give it?—A. I don't know whether I was the first one that gave it or not.

Q. At that time were you armed?—A. I was not.

Q. Were you not?—A. No, sir.

Q. Are you sure you gave it?—A. I am not sure.

Q. Did you at any time during the firing have any weapon in your hand?—A. Never had anything more than a pocket-knife, and never carry anything more than that. I have not carried a pistol for twenty years.

Q. Why did you give the word fire; you are uncertain whether you gave it or not?—A. I don't know whether I gave it at all or not.

Q. You don't know who gave it, then?—A. I do not.

Q. Well, there was a volley fired into the crowd, was there?—A. Yes, sir; there was a volley fired into the crowd.

Q. Was there any previous notice or warning given to the colored people?—A. Not that I ever heard of.

Q. What was the result of that fire—how many killed and wounded?—A. I didn't see but three that was killed.

Q. How many wounded?—A. I never saw but one man that was wounded.

Q. Give the names of those who were killed.—A. I could not tell you the names of those that were killed.

Q. Were they colored people?—A. Yes; they were colored.

Q. And you say you did not yourself fire any pistol or any weapon into the crowd?—A. No, sir; I didn't have a pistol on that day.

Q. How many shots were fired?—A. I couldn't tell you that.

Q. About how many?—A. Oh, I have no idea how many was fired; I could not tell.

Q. Did you see any persons firing?—A. I could not say that I did, and I could not say that I saw any white or black fire; there was pistols in the hands of a good many.

Q. Well, could you hear them?—A. I could hear the bullets; yes. I could hear reports, and could not tell how many there were.

Q. Can you name any persons who had pistols?—A. I can't say that I could name any man that had pistols. I think the majority of them there had pistols, but I could not go on and say, in the excitement, who had and who hadn't them.

By Mr. VANCE:

Q. Which side are you speaking of, the whites or blacks?—A. I am speaking of both sides.

Q. Do you think there were as many as twenty shots fired at that time?—A. Yes, I think there was.

Q. Or two hundred?—A. No, I don't think there was as many as two hundred; there might have been.

Q. Then you would not be willing to fix any number between the twenty and two hundred?—A. No, sir; I would not, because I could not tell.

By the CHAIRMAN:

Q. Were you present when Jack Redd came up on the ground?—A. Jack Redd?

Q. Yes.—A. I don't know that I know him.

Q. Don't you remember striking somebody?—A. I don't think that I ruck any one on that day.

Q. You say you did not strike any one on that day?—A. I don't think I did.

Q. Didn't you strike a man near where Colonel Cabell stood?—A. I think not.

Q. You didn't?—A. No, sir.

Q. Are you sure about that, Mr. Hatcher?—A. I think I am.

Q. Did you hear the testimony of Redd yesterday?—A. I did not.

Q. You did not?—A. I did not hear his testimony; no, sir.

Q. Do you remember to have seen Colonel Cabell?—A. Oh, yes; I recollect seeing Colonel Cabell.

Q. But you don't remember striking any one in his presence?—A. No, sir; I don't think I struck any one on that day.

Q. Did you see Redd struck by any one?—A. I don't know Redd.

Q. Did you see a man struck near Colonel Cabell?—A. I did not. I may know him by his face. I am the poorest hand in the world to recollect names.

By Mr. VANCE:

Q. Do you know Ivey?—A. Yes, sir.

Q. He swore that you struck Jack Redd, and shot at him as he ran down there by the market.—A. Yes, sir. I was not anywhere near the market.

Q. You were not there?—A. No, sir.

Q. Were you present when Colonel Cabell was remonstrating that night?—A. I was present at the Arlington.

Q. Yes; but down here near the market?—A. No, sir; I was not present at that time.

Q. You say that before the firing began you heard no one give any warning?—A. Any warning of what?

Q. Of firing.—A. No, sir; there was no warning given that ever I heard of.

Q. Did you see or hear anybody try to disperse the colored people—make them go away?—A. There was a good many trying to disperse the colored people, and asked them to get off the streets and avoid a difficulty.

Q. Who were they?—A. Mr. Corbin was one and this policeman, Withers, was another, and there were several parties there.

Q. Mr. Peter Booth?—A. Yes, sir; Peter Booth was another.

Q. He tried to get them to disperse?—A. Yes, sir; tried to get them to disperse; get off the streets.

Q. Did you hear Captain Oliver, of the Grays, say to the colored people that if they would disperse the whites would?—A. Yes, sir; Oliver was trying to disperse them.

Q. That was before the firing?—A. No; that was after the firing—trying to get the black people to get off the sidewalks and avoid any further difficulty.

Q. That was before the shooting, wasn't it? The black people ran as soon as the shooting began?—A. There was a good many that run, and there was some few that remained, and they asked them to go away to avoid further difficulty. I wasn't there before nor at the time of the commencement of the firing. I was not present at the commencement, nor before that.

Q. Well, I don't understand your testimony. You said just now in answer to Mr. Sherman that you did not know whether you gave the order or not.—A. I said that the difficulty had commenced before I got there. There was a difficulty between—

Q. That is the fist fight?—A. Yes, sir; the fist fight occurred before I got there. I was not present at that time. That was what I alluded to.

Q. When you got up, there were twenty-five or thirty whites on the sidewalk and the streets were filled with colored people?—A. Yes, sir.

Q. Were they angry or excited?—A. They seemed to be excited, and I heard several remarks among the black people if we had to have a difficulty it was just as well to have it then as any other time.

Q. Did you see any arms in the hands of the colored men?—A. Yes, sir; but then I could not name any particular man that had arms on either side.

Q. Under the circumstances, did you think it necessary for the defense of the white men that they should fire?—A. Yes; I thought so from the way the black people were crowding upon them.

Q. How long did the firing last?—A. I suppose it lasted some two or three minutes; probably five minutes.

Q. How long after the firing began until the colored people broke and ran?—A. The colored people commenced pretty soon after the firing commenced; they commenced to break and get out of the way.

Q. Did you see any white men killed or wounded?—A. I saw Mr. Holland, that was wounded—Walter Holland.

Q. Any one else?—A. I saw a butcher there, that was in the market, that was wounded; I have forgotten his name; a white man—Seward.

Q. Did you see any bullet-marks on Woolfolk & Blair's office or house

the next day?—A. I didn't see any on Blair & Woolfolk's office, but I saw on the barber shop just below that, and on Nicholas & Hessberg's bar-room, and on the building occupied by Averett & White's shoe store.

Q. Were those buildings in the rear of the white people that stood on the sidewalk?—A. They were in the rear of the white people that stood on the sidewalk.

Q. And in front of the colored people that stood in the street?—A. Yes, sir.

Q. Judging from the sign of the bullets, from which crowd do you say those bullets come?—A. They must have come from the black people.

Q. From the black people?—A. Yes, sir; it is in the rear of the white people.

Q. Well, the firing ceased soon after the colored people broke and run, didn't it?—A. As soon as they broke and run the firing ceased.

Q. Do you know whether the first volley was directed toward the negroes or whether it was shot into the air?—A. I think the most of them was shot into the air.

Q. The first volley?—A. Yes, sir; I don't think it was the intention of the white people to injure the black people; that they merely wanted to frighten them off to avoid a difficulty.

Q. Did you belong to any political club or organization in the city?—A. I did.

Q. What club?—A. I belonged to the club of the third ward.

Q. A political club?—A. Yes, sir.

Q. I will ask you if there was any premeditated scheme or plot to bring about this fight?—A. There was none that ever I heard of.

Q. Did you ever get any orders to arm yourself and prepare for a fight on the street?—A. I never did; never got orders or heard of any.

Q. If you did you did not obey them, because you say you had no weapons.—A. I had no weapons on that day.

Q. Was that an ordinary pocket knife?—A. Yes, sir; a twenty-five-cent knife that I bought at an auction there.

Q. You say you struck nobody and inflicted no blow that day?—A. I did not, sir.

Q. Shot no pistol?—A. I haven't had a pistol in fifteen years; I haven't had one in that length of time. I don't suppose it would be any trouble in the world to substantiate that fact.

By Mr. LAPHAM:

Q. Didn't you hear any threats made toward the colored people before this?—A. Never heard any threats there; there had been a disposition there to keep perfectly quiet.

J. C. REAGAN sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you been there?—A. I have lived there, I suppose, in the city, a little over two years; I have been in business there longer.

Q. What are you engaged at?—A. In the tobacco business.

Q. Were you present on the 3d of November, at the time of the riot?—A. I was.

Q. When did you first see any part of the riot?—A. I was in the opera house.

Q. You were in the opera house?—A. They first cried out there was a fight on the street, and I broke out of the opera house immediately.

Q. When the alarm about the fight was made?—A. Yes, sir.

Q. Well, where did you go?—A. When I got down on Main street there was a pistol fired and a crowd of niggers was gathered up there. They broke and I met them going down the street and I kept on up where the crowd was; a friend of mine, Lea, and these other boys that were all raised in the same county, and I got up where they were. The fist fight was over. Noel was standing in front of Lawson and the negroes commenced crowding on the street right in front of them, making their threats.

Q. What threats did they make; what was said on either side?—A. They said they was going to have revenge out of it; that they had been mistreated there.

Q. They complained that they had been mistreated?—A. Mistreated; yes, sir; and been tried to be run over, and they were going to have it out right there, as near as I could understand. I left the crowd immediately and went into Bass's hardware store, about a door below there, and told them there was going to be a hand-to-hand fight out there.

Q. What did you say to them?—A. I told the clerk in there that I wanted a box of chop-axes; that there was going to be a hand-to-hand fight out there; that the negroes were crowding around out there, and they were going to massacre them. The clerk was excited and would not give them, and I asked him where they was, and he said, "Back behind the counter," and I hunted and could not find them, and I returned on the sidewalk. The time I got there the street was just crowded with niggers.

Q. Were you armed then?—A. I had a pistol.

Q. Any other weapon?—A. No, sir; I didn't get any chop-axes.

Q. When did you get that pistol, or did you have a pistol in the opera house?—A. Yes, sir.

Q. What did you do then?—A. The time I got out there then I suppose was about a minute or two after the firing commenced.

Q. Who commenced the firing?—A. I could not tell you who.

Q. Who gave the order for firing?—A. I couldn't tell you anything about that; I didn't hear the order for firing.

Q. Do you know who fired the first shot?—A. No, sir; couldn't tell whether it was colored or white.

Q. Then did you fire?—A. Well, I could not tell whether that is a fair question or not; I won't answer.

Q. Well, I put the question.

Mr. VANCE. You are not obliged to answer that unless you want to.

By the CHAIRMAN:

Q. Did you fire on that occasion?—A. I don't care to answer that question.

Q. You decline to answer that question?—A. Yes, sir.

Q. Was anybody killed by that fire?—A. I don't think there was right there; I didn't see any.

Q. Right in your neighborhood?—A. Right there; no, sir.

Q. How long did that firing continue?—A. I don't suppose it was over five minutes; no, I don't suppose it was that long.

Q. The colored people immediately dispersed?—A. They didn't when the firing first commenced, but they pretty soon—

Q. Went off?—A. Yes, sir.

Q. What direction did they take from the scene of the affair?—A. I suppose they went every direction in which they could go.

Q. Mr. Reagan, please come here a moment and look at this map. Does this represent [indicating] where the white people were?—A. That was right in front of Woolfolk's.

The CHAIRMAN. That is represented by the numbers 36, 37, and 38. Here were the colored people?—A. They was all out there on Main street, and in on each side of the sidewalk. They had crowded up when I got back out of the hardware store; they had crowded up clean back.

Q. Was this the direction the colored people went [indicating]?—A. They went every way.

Q. Did any of them come back this way?—A. I suppose they went every way; I couldn't see.

Q. Did some people come out of the opera house during that firing?—A. I couldn't tell you anything about it, because I never noticed anything about what was going on after the thing commenced.

Q. This represents where the white people were.—A. The white people were on the sidewalk, crowded up just as close as you could crowd them up.

Q. When did you see Redd?—A. Who?

Q. Redd, the witness who was examined here yesterday.—A. I never saw him at all that I know of. I don't know him.

Q. You don't know him?—A. No, sir.

Q. Did you get into any controversy with any colored man at a time when Colonel Cabell was present?—A. I don't know whether I did or not.

Q. You say you don't know whether you did or not?—A. No, sir.

Q. Did you strike a man there in a controversy?—A. I don't think that's a fair question.

Q. What do you answer to that?—A. Well, I don't know, I am studying.

Q. Do you decline to answer?—A. Yes, sir.

Q. What do you say? I will again put the question *pro forma*. Did you at the time referred to strike any one shortly after the firing ceased? What do you say to that?

Mr. VANCE. I think you ought at least to give him the name of the man he struck.

By the CHAIRMAN:

Q. Redd is the man, or any other one. You say you don't know Redd?—A. No, sir; I don't know him.

Q. Well, did you strike any one on that occasion near where Colonel Cabell was?—A. I don't know whether I ought to answer that question or not.

Q. Well, I want to know whether you will answer it or not?—A. I don't think I shall.

Q. You decline to answer then. Did you fire at this man on that occasion?—A. Well, I don't think I can answer that.

Q. You can't answer that?—A. Well, I can say that I didn't. I can say that much.

Q. You did not?—A. I did not, sir.

Q. You did not fire at that man?—A. No, sir; I shot at no one especially.

[The reporter was requested to read over the last answer.]

Q. You say you shot at no man especially. Did you have a controversy with any one?—A. I didn't say I shot at no man especially. I didn't say "especially" at all. I didn't say I shot at all. I say that I did not shoot at him.

By Mr. VANCE:

Q. You say you did not shoot at this man Redd?—A. No, sir; I did not.

By the CHAIRMAN:

Q. Mr. Reagan, I want to get your answer to that question. Did you shoot on this occasion at any man after the firing had ceased, in the presence of Colonel Cabell?—A. I did not.

Q. I ask you again, so that there will be no misunderstanding, how many times you shot into the crowd that day?—A. Well, I don't think that is—I shall not answer that.

Q. You decline to answer?—A. Yes, sir.

Q. Do you wish to say anything further in respect to this matter, and especially in answer to the questions I have put to you in regard to this shooting? Do you desire to add anything to what you have said?—A. I will answer any questions.

Q. Were you examined before the committee of forty?—A. I was.

Q. Did you say anything there about being armed and this shooting?—A. They did not ask me any questions of that sort.

Q. Your testimony was given correctly, was it, in the published report of the committee of forty?—A. I think so.

By Mr. VANCE:

Q. Mr. Reagan, how many white people were on the sidewalk?—A. At the time the firing commenced, you mean?

Q. When you got up there? I understand you were not present at the fist fight.—A. Well, there were very few when I got there. They collected when I was in the hardware store. There were very few when I got there—I suppose half a dozen.

Q. How many negroes in front of that half a dozen?—A. I couldn't tell you.

Q. In your best judgment?—A. What do you mean—when I first got up?

Q. Yes; when you first got up.—A. I don't suppose there was more than fifty or one hundred, and they kept gathering like bees going to hive.

Q. From any direction?—A. From every direction.

Q. Now, do you recollect any expressions of the crowd showing whether they were angry or in good humor?—A. They seemed all to be angry, so far as I could see.

Q. Was there any inquiry made for the man who had fired the first pistol?—A. Yes, sir.

Q. What was said by any of the crowd?—A. They pointed at a man that had shot, I suppose; he was standing aside of me.

Q. Whom did they point to?—A. Bob Taylor; they said he was the man that done the shooting.

Q. Did Taylor have a pistol?—A. Yes, sir.

Q. Did you see any colored men have pistols?—A. Yes, sir; I saw colored men have pistols.

Q. How many do you think you saw in the hands of the colored people?—A. I couldn't tell you.

Q. Did you see anybody try to disperse them?—A. Yes, sir; Withers was trying; done all he could, I thought—tried to disperse them.

Q. Did you hear Captain Oliver?—A. Yes, sir; I was there when Oliver came up.

Q. Mr. Corbin?—A. Yes, sir.

Q. What reply did they make to the threats of the policemen and Captain Oliver and others, to get them to disperse?—A. They said they was not going to do it; they were not going to be run over at all.

Q. That they were not going to disperse; they were not going to be run over?—A. No, sir.

Q. Now, by the time the firing began, how many whites were present and how many colored men?—A. I suppose about twenty; about two hundred I reckon. The streets were crowded with them; they kept crowding in like bees going to hive, in all directions.

Q. Mr. Reagan, as a prudent man, a man of reasonable firmness, do you think it was necessary for that crowd of white men to fire for their own safety?—A. I think it was.

Q. You think it was?—A. Yes, sir. As I stated before, I thought there was going to be a hand-to-hand fight. I didn't think anything else.

Q. Why were there not more white people there to help; where were they all?—A. They were in the opera house. I was there myself, but I broke as soon as ever the alarm was made.

Q. Did not the others break also?—A. No, sir; I was about the only one that left. The meeting had just been called to order.

Q. When you left?—A. Yes, sir.

Q. The streets then were comparatively deserted by white people?—A. Yes, sir.

Q. Were most of the active people in the city in that opera-house meeting?—A. Yes, sir; it was a pretty full meeting; the house was pretty full.

Q. Did you think that Corbin and Oliver and the others there were in earnest in trying to get the colored people to disperse?—A. Yes, sir.

Q. To avoid a row?—A. Yes, I do.

Q. You think they were?—A. Yes, sir.

Q. Do you recollect what was said by any of those gentlemen?—A. I don't know. As I said, I was not out there many minutes until I went into the hardware store.

Q. You thought it was going to be a desperate hand-to-hand fight, and went into the hardware store to get a hatchet?—A. Yes, sir. Corbin was right in the street among the colored people.

Q. Did you say you saw these men wounded?—A. No, sir; I saw one; they carried him across the street.

Q. I mean the white men?—A. No, sir; I saw Holland.

Q. How long was it after the row until the city was quieted and order was restored?—A. A very few minutes.

Q. No disturbance after that?—A. None at all.

Q. Colonel Cabell made an address to the people there on the streets, didn't he?—A. Yes, sir.

Q. Urging them to be quiet, and so on?—A. Yes, sir.

Q. Every body seemed disposed to obey?—A. Yes; Sergeant Wood did the same thing, and every man seemed to obey him; I did, I know.

Q. Was not there a patrolman shot that night in the suburbs of the city somewhere?—A. Yes, sir.

Q. Hubbard?—A. Yes, sir.

Q. Do you know the place where he was shot?—A. Yes, sir.

Q. What kind of people live there; white or black?—A. Colored people.

Q. Altogether?—A. Yes, sir; I don't think it was in the corporation where he was shot; I think it was across the dry bridge; I think it was the second house across the dry bridge.

Q. How wide was that sidewalk where the white people stood?—A. It was tolerably narrow; I don't suppose it is over six feet.

Q. Not over six feet wide?—A. It is not over eight, I know.

By Mr. LAPHAM:

Q. Can you name any colored man who fired that day?—A. I cannot, sir.

Q. Cannot you name any white man who fired?—A. I cannot, sir.

Q. And you decline to answer as to whether you fired; you still decline?—A. Yes, sir.

Q. You saw three men killed at the first fire, didn't you?—A. No, sir; I never saw a dead man at all; I saw one that they say died pretty soon after; they carried him off the streets there; some white people toted him across the street at the Arlington.

Q. You are a member of the Democratic party, are you not?—A. I am.

Q. Were you appointed a special policeman?—A. I was.

Q. How soon after this?—A. I couldn't tell you. I sent my folks out of the city.

Q. I didn't ask that.—A. But I say I couldn't tell you the exact time. I don't think I was appointed until about the third day, or second day, anyhow.

A BYSTANDER. It was Sunday morning.

The WITNESS. No, I wouldn't take any duty, you know, until I sent my folks out of town. I sent them out of town Monday; they could not leave Sunday.

By Mr. LAPHAM:

Q. You say you heard Colonel Cabell address the people there?—A. Yes, sir.

Q. Where was that?—A. It was near the Arlington.

Q. Was anything said about going to the Government building?—A. I never heard a word said about the Government building.

Q. Did he say anything about going to any place?—A. Who?

Q. Colonel Cabell.—A. No, sir; I think all he said was to try to keep the people quiet.

Q. Was not he addressing them, trying to dissuade them from going to any place? Had you heard anything said to any one about going to the United States building?—A. No, sir; I didn't hear anything of it.

Q. Where was Colonel Cabell?—A. He was up by the Arlington.

Q. Well, there is a Government building near there, is there not?—A. One right above there.

Q. And the post-office opposite?—A. No, sir; the post-office and Government building are all one.

Q. Well, the old post-office is opposite?—A. Well, the Government building was not in that then, I don't think.

Q. How far from the Arlington?—A. I suppose it is 100 yards; near about it.

Q. How far were these persons apart when the firing commenced?—A. They were right together, as thick as men would generally stand.

Q. No distance between them, then?—A. None at all; I don't think.

Q. How near was any colored man to you?—A. I could put my hand on them, I suppose.

Q. Then you could reach him with your pistol, couldn't you?—A. I could.

Q. Now the whites were thrown into line, were they not?—A. I don't

think a man could hardly have got into line ; they were all on the sidewalk, crowded.

Q. Could not they be in line on the sidewalk ?—A. I don't know as there was any line formed. I have been in a good many battles, and I never saw any yet in a battle.

Q. Were not they standing in the form of a triangle there ?—A. No, sir ; they were crowded up just like men would be crowded up here. I suppose the white were all together, and the colored were pretty well all together.

Q. Did not white people come there in large numbers after this firing began ?—A. No, sir ; they were scattered all over the street, I suppose. Well, it was all over before any white men got there, only what was there.

Q. Did not they come from the opera house ?—A. Well, it was all over before they got there.

Q. Are you sure there was no firing after they came up ?—A. I don't think there was.

Q. How soon did they come out of the opera house after the firing began ?—A. I suppose they got out as soon as they could.

Q. How many ?—A. All of them.

Q. Well, how many were there ?—A. I couldn't tell you.

Q. How many would you judge there were ?—A. I couldn't tell you that.

Q. How many will the opera house hold ?—A. I couldn't tell ; I suppose it holds about six hundred or seven hundred.

Q. It was full, wasn't it ?—A. I couldn't tell you that ; there was a right smart crowd in there.

By Mr. VANCE :

Q. You say that the two crowds of white people and colored people were very close together ?—A. Yes, sir.

Q. And the white people were on a narrow sidewalk ?—A. Yes, sir.

Q. Not more than fifteen or twenty of them, with their backs to the house ?—A. They were standing, I suppose, most every way ; I suppose facing mostly towards the niggers ?

Q. Did the white people display their pistols ?—A. A few did.

Q. And the colored people knew that these white people were armed ?—A. Yes, sir.

Q. And pressed on them notwithstanding ?—A. Yes, sir.

By Mr. LAPHAM :

Q. You spoke of some man being killed later in the evening on the outskirts of the town ?—A. No, sir ; I don't think I did.

Q. You testified in answer to questions by Mr. Vance that there was a white man shot ?—A. I didn't say he was killed, though.

Q. No, shot ; did you know anything about it ?—A. I know he was shot ; I saw him after he was shot ; I know he was shot.

Q. You saw he had been shot ?—A. Yes, sir.

Q. But you don't know anything about the circumstances of his being shot ?—A. No, sir.

Q. It was all hearsay ?—A. I know he was shot because I saw him.

Q. He may have shot himself ?—A. I don't think he could.

Q. Well, that is reasoning. You don't know anything about it personally yourself, do you ?—A. No, sir ; I heard the gun, though, and heard the firing.

S. F. TERRY sworn and examined.

By Mr. LAPHAM:

Question. You were examined before the committee of forty, were you not?—Answer. Yes, sir.

Q. What is the first you saw of this trouble?—A. The first of it.

Q. The first you saw of it?—A. About two hours, I reckon, before the firing commenced I was loading a wagon right in front of our store.

Q. I mean the trouble between the two crowds that assembled there?—A. The first of it?

Q. Yes.—A. The time the firing commenced the first of it I saw was a white man with his arm up this way [indicating], and a nigger trying to wrench a pistol out of his hand, and that went off.

Q. Who was that man?—A. I don't know who he was.

Q. Would you have known him if you saw him; did you see him?—A. Yes, sir; I saw him, but he was standing with his side to me; a side view; and I cannot tell positively; with his back up the street.

Q. Well, he held up the pistol, and the colored man was trying to take it away from him?—A. He held the pistol up, and the colored man was trying to get it out of his hand and then it fired. That was the first pistol fired.

Q. That pistol, you say, was discharged?—A. That was discharged; I saw it go off. This nigger sort of jerked this man down and the pistol went off.

Q. What time in the day was this?—A. I don't know; I suppose it was about 3 or 4 o'clock. I never noticed particularly.

Q. Well, now, did not you name the white man who had this pistol in your testimony before the committee of forty?—A. No, sir; I never named him.

Q. What?—A. I do not think I ever did; not before that committee.

Q. You do not mean that Noel had the pistol?—A. No, sir; I saw Mr. Noel, but did not see any pistol at all. I know him, and took him up in my room for a wash off.

Q. I will ask you if you did not make this statement, "I saw the fight between Noel and a colored man, and saw a negro grasp a white man's wrist and try to take a pistol from him?"—A. Yes, sir; but I did not say the pistol was in Noel's hands. I stated that I did not know the white man.

Q. Now, how soon after this pistol was discharged before the firing commenced?—A. It was some little time; some few seconds. I was standing on the street. I thought it would all be over before the general firing commenced.

Q. Did you hear the order for firing?—A. No, sir; I did not. I was right across the street opposite, standing on the pavement.

Q. Did you see any colored men with arms?—A. I saw one with a knife.

Q. Where?—A. Coming across the street.

Q. Is that the one who cut your finger?—A. Yes, sir; I suppose so. I didn't see him cut it.

Q. How long was that after the firing began?—A. That was about the winding up; they were running; they ran through the store that I live in, I think.

Q. He probably hit you accidentally?—A. Yes. I do not think it was on purpose.

Q. You do not think he meant it?—A. No, sir; I think it was accidentally.

Q. Did you see any white man with a double-barrel gun?—A. Yes, sir.

Q. Who was that?—A. Mr. Dance.

Q. Do you know whether he fired it?—A. I do not; he was standing in the door.

Q. Standing in the door with his gun?—A. Yes, sir.

Q. How far from the colored men?—A. Right where they were.

Q. Was he taking aim with the double-barrel gun?—A. No, sir; he had his gun elevated, just holding it up there.

Q. Then the only person you can swear you saw have arms was one white man with a pistol which the negro was trying to take from him?—

A. I saw several pistols there, but I could not tell who had them. I only saw one white man with a pistol.

Q. Did you see any more than one with a double-barrel gun?—A. No, sir; only one with a double-barrel gun.

Q. Did you hear anything said about going to the government building and raiding that?—A. No, sir; I don't think I did.

Q. Is that what Colonel Cabell was trying to dissuade them from doing?—A. I did not see Colonel Cabell.

Q. Did not see him at all?—A. No, sir.

Q. You were not near enough to hear the order for firing?—A. I did not hear any order at all.

Q. Were you near enough if it had been given?—A. Yes, it looked like I might be. I was right across the street. I heard Mr. Peter Booth trying to disperse them; to get the niggers to leave; they were pressing forward.

Q. Were you armed?—A. No, sir; I did not even have a pocket-knife. I had just lent my pocket-knife to Ed. Wheeler to mend a pencil.

Q. You did not have any arms at all?—A. No, sir; not a thing.

Q. How many did you see have pistols?—A. I do not know how many. I saw several pistols up.

Q. How many do you think were fired that evening?—A. I cannot tell; I think some fifty or seventy-five probably, may be a hundred; I could not tell; would not say positively.

Q. Did you see any colored men fire?—A. No, sir; I did not see any one but this one pistol.

Q. No; but you can answer whether you saw a colored man fire?—A. No, sir; I did not see any.

Q. Were you appointed a special policeman?—A. No, sir.

Q. You did not serve on the force?—A. I went round with them but I was not appointed.

Q. But you served?—A. Yes, sir.

Q. How soon did you commence service?—A. I went round that night a little while; went round with Mr. Booth.

Q. Who is Mr. Booth?—A. He is a merchant there in Danville.

Q. You went in his company?—A. I just went in his company.

Q. You belonged to the same political party, I suppose?—A. Yes, sir; well I do not know about that.

Q. Well, you are a Democrat, are you not?—A. A Democrat, yes, sir; I do not belong to any club and never did.

Q. How long did you serve as a policeman; any more than that night?—A. No, sir.

Q. You only served that evening?—A. That evening.

By Mr. VANCE :

Q. Mr. Terry, your place of business is nearly right opposite Woolfolk & Blair's?—A. Just a little above and opposite.

Q. Were you engaged in business that day or were you out in the street?—A. I was engaged in business in the store.

Q. Now you saw this whole matter, pretty much, did you?—A. Yes, pretty much all of it.

Q. Did you see the fist fight between Noel and Hense Lawson?—A. I saw them when they had their backs turned; I saw them when they were parting.

Q. The first thing you saw was a white man holding up a pistol and a negro trying to wrest it from him?—A. Yes, sir.

Q. You do not know who the white man was?—A. I do not know.

Q. You say in the scuffle the pistol went off?—A. The pistol went off.

Q. You do not think it was fired intentionally?—A. No, it looked to me accidentally.

Q. You did not go over to where they were, did you?—A. I started over and I saw Mr. Holland shot, and as soon as I found out who he was I started and got about half across the street and the niggers broke and ran.

Q. Who do you do business with?—A. Hamlin & Hayden.

Q. How long after this first firing of this pistol accidentally was it until the firing began generally?—A. It looked to me like it was several seconds; it was not more than half a minute; not exceeding a minute.

Q. Now, both parties were coming up after the firing of the pistol, were they not—the negroes assembling and the whites assembling?—A. Yes, sir. I suppose when the first pistol fired there was not more than fifteen or twenty whites.

Q. How many was there when the firing became general?—A. I don't reckon there was more than that.

Q. Not more than that then?—A. No, sir.

Q. How many colored people do you suppose there was?—A. Somewheres about a hundred or a hundred and fifty; a good many.

Q. At the lowest a hundred?—A. Yes; I do not think there was less than a hundred.

Q. They were between you and the white men?—A. Yes, sir.

Q. Now, did the white people appear to be surrounded?—A. Yes, sir.

Q. With their backs to the wall of that building?—A. Yes, sir.

Q. Did the negroes in the street appear to be crowding on them, or were they standing; what were they doing?—A. Just before the general firing it looked like a sway of niggers made a rush forward on them along about the center.

Q. Just before the firing began you could see a swaying toward the white men?—A. Yes, sir.

Q. Did it appear to you from where you stood to be necessary for the safety of the white men that they should fire?—A. Yes, sir; I thought so.

Q. How long did the firing last?—A. It was over very quick. It did not last more than two minutes, I don't think.

Q. How long before the negroes broke and ran?—A. They commenced right away; pretty soon.

Q. How long was the whole crowd of them in going?—A. I do not think after the first fire it was more than five minutes.

Q. Then they were all in full flight?—A. Yes, sir.

Q. Did you notice any man fire after the negroes had run?—A. No, sir.

Q. Did you know of any shots coming from the ranks of the colored

people?—A. No, sir; I was not looking towards them much about the time of the firing. I saw Holland fall, and my attention was called that way.

Q. I want you to say, if true, was there any firing at all from the negroes.—A. If there was I did not know it; I did not see any; I did not notice who did the firing; I just noticed it was general firing.

Q. From your position, as I understand it, the negroes were between you and the white people?—A. A little below me.

Q. And you could not tell who did the firing, whether it was negroes or white men?—A. No, sir.

Q. But you saw Mr. Holland fall there, and then your attention was attracted to him?—A. Yes, sir; in that direction.

Q. Where was Mr. Holland standing when he fell?—A. He was going up street and immediately opposite our door.

Q. Was he on the sidewalk?—A. I think so.

Q. Near the white people?—A. Yes, sir.

Q. Could he have been shot from the position he occupied and the white people occupied; could he have been shot by anybody but a colored man?—A. I do not know; he was shot in the back of the head.

Q. Was he stepping up on the sidewalk?—A. I do not know; he was on the sidewalk, I think, when I saw him fall.

Q. You don't know which way his face was?—A. His face was up the street, I think.

Q. Well, that is indefinite to me. Was his face towards the colored people?—A. No; his back was toward the colored people.

Q. And he was shot in the back?—A. Shot in the back of the head.

Q. You say his back was towards the colored people?—A. Yes.

Q. And he was shot in the back of the head?—A. Yes, sir; he was shot in the back of the head.

Q. You say you saw men trying to disperse the crowd?—A. Yes, sir; I saw Mr. Peter Booth trying to disperse them.

Q. Were you close enough to hear what he said and what they said to him?—A. I saw him hold his hands up and ask them to leave; I did not hear what they said; he said it was best not to have any disturbance; to get away.

Q. Who is Mr. Booth?—A. He is a merchant there.

Q. Did you notice coming down from the opera house the crowd that was up there?—A. No, sir; I did not.

Q. Did not see when they got there?—A. No, sir.

Q. Where was Mr. Holland taken?—A. He was taken in the room, I think.

Q. Into your store?—A. No, sir; across on the opposite side.

Q. Did you go to him?—A. No, sir; I did not go to him. I started and turned back to fasten our door.

Mr. LAPHAM:

Q. Holland was not killed, was he?—A. No, sir.

Q. Do you know who shot him?—A. No, sir; I do not.

Q. Where was he walking, up among the white people who were there?—A. He was a little above them, I think.

Q. By above which way do you mean?—A. Where they were firing. He was just a little above them; above where they were firing.

Q. By above which way do you mean?—A. Up towards the Arlington Hotel.

Q. He was not as near the firing himself as the balance of the white men?—A. There was some colored men scattered above him, I think.

Q. Now, did not people come out of the opera house as soon as this firing commenced and before it ceased?—A. I did not see any come out of there. I was away above; the opera house was on the next block below.

Q. You did not see the crowd coming from there at all, then?—A. No, sir.

Q. You do not know how many came from there?—A. No, sir.

Q. Were you in the opera-house?—A. No, sir.

Q. How many people will it hold?—A. I do not know; some five or six hundred, I suppose.

R. W. GLASS sworn and examined.

By Mr. LAPHAM:

Question. Where were you on the day of this disturbance?—Answer. I was in the town of Danville.

Q. Do you live there?—A. Yes, sir.

Q. Where were you at the time the disturbance commenced?—A. I was at Mayor Johnson's, just above the post-office.

Q. Now, go on and state just what occurred in your own way, without me asking questions, as far as you saw.—A. Well, sir, I really do not feel safe in telling what I do know about it.

Q. Why not?—A. I live in Danville, and have got to go back there, and am afraid.

Q. Oh, I guess you will be taken care of; why are you afraid? what is the reason for it?—A. Well, I have heard it said that any nigger that testifies in behalf of these things——

Mr. VANCE objected to hearsay.

By Mr. LAPHAM:

Q. Do you speak now of threats made before or since that happened?—A. Since.

Q. Did not you hear any before?—A. No, sir; I never heard any before.

Q. Did not you hear any that day, before the firing?—A. I heard it off and on. This firing was expected to be.

Q. Well, tell us now what occurred. You heard the first shot, you say; did you go down there?—A. Yes, sir; I was at Mayor Johnson's, coming out at the gate of his boarding place, Mrs. Lawson's. I heard a pistol fired. I run down as quick as I could get down there to see what it was, as colored people always do when they see a gathering. When I got down there there was a large crowd there.

Q. How many should you judge, when you first got there?—A. Well, it seemed to be about seventy-five or a hundred colored, and I reckon twenty-five or thirty whites standing there.

Q. Now, what did you see after you got there?—A. I heard white men telling negroes to leave here; said, "You all leave here; if you do not you are going to get hurt." The negroes were saying, "We are not doing anything but standing here looking, and we do not intend to leave." I heard a policeman tell them to leave; I heard some of the colored people say, "Why don't you tell these white men to leave? We are not doing anything but looking; they are kicking up all the fuss; why don't you tell them to leave? We are not doing anything but looking, and don't intend to leave." A very short time after that remark I heard Mr. Hatcher say that "this is a white man's town, and white men are going to rule it;" and "I will be damned if you niggers don't leave

here we are going to kill you." And a short time after that they drew pistols out of their pockets and began to wave them round.

Q. Who drew pistols?—A. The white men.

Q. How many did you see draw them?—A. I saw four draw pistols that I know. That man over there [pointing], Mr. Freeman, was trying to get them to leave, saying "You all must leave here;" saying, "somebody is going to get hurt if you don't leave." The colored people says, "Well, make the white people leave; we don't intend to leave; we have not done anything; we don't intend to leave."

Q. Do you mean that was repeated?—A. Yes, sir.

Q. Said it more than once?—A. A very short time after that Mr. Hatcher, Mr. Lea, Mr. Covington, and Joel Oliver came to the front with their pistols, and Mr. Lea says, "Fire," and they did fire, and after they fired a great many more fell in and fired, and they continued to fire for three or four minutes. I reckon before they got through there was thirty or forty fired. Then people were coming from every direction. The colored people were leaving and white people were coming.

Q. Did the white people come out of the opera house?—A. Yes, sir; pouring out just as fast as they could get there; running to different stores getting pistols.

Q. How many did you see come from the opera house?—A. It looked like three or four hundred coming from every direction.

Q. Do you know they got pistols, any of them?—A. Yes, sir; I saw them go in stores and come out with pistols in their hands.

Q. What stores did you see them come out of?—A. I saw them go in Mr. Graves's store; I saw them going in Mr. Tyack & Doe's store, hardware store, and come out with pistols; and after the shooting 40 or 50 of them going out in the street shooting. I got afeared and run up the street and down. I steps right behind the white people where they were shooting; I gets right between them and this little office they speak of, Woolfolk & Blair's. I looks in there and saw pistols in there, and saw men going in there to get pistols. I saw a bag of cartridges sitting in there.

Q. In Woolfolk & Blair's real estate office?—A. Yes, sir; I saw a bag of cartridges sitting in there. I saw, I reckon, 25 or 30 pistols lying there on the table; saw men go in there and get them coming out and shooting. Finally all the colored people left, pretty much; there was myself and Withers, I think, was about the only colored people there on the street at all, and I was right behind them. They got in the street and hollered, "Hurrah for we Democrats," just as loud as they could holler. All the negroes was gone.

Q. And they were having a jubilee?—A. I just followed the street right up as they did until I come up to Mr. Paxton's store. I went in there; they went on up to the Arlington. I went out the back way and come out of an alley between Brown's bar-room and Moulton's barber-shop. I came out on Union street and went across to the Arlington, and went on up near the custom-house.

Q. Did you hear anything said about "going for that?"—A. I did not. I did not hear anything said about going for the custom-house at all.

Q. Did you see Holland shot?—A. I did; yes, sir.

Q. Who shot him?—A. I think one of those four first men shot him; one of them.

Q. The four who came to the front, as you said? Why do you think one of these shot him?—A. Well, from the position which they held and

Holland held, I think they were compelled to shoot him. In fact, I did not see any shot come from the other way at all.

Q. Did you see any colored men shoot?—A. No, sir.

Q. Did you see any one have pistols?—A. I did not see a one.

Q. Repeat the names of those four men who came to the front and fired.—A. Mr. Hatcher, Mr. Lea, Mr. Oliver, and Mr. Nat. Covington.

Q. Did Holland fall as they fired?—A. When Holland first got shot he threw his hands back of his head and seemed to tumble over.

Q. Were they pointing their pistols in the direction of Holland?—A. Yes, sir. Holland came across to the sidewalk where I was, and when I first got there and he asked me—I don't know whether he came from the opera house or not, but I don't think he did; I think he came from up the street above the opera house—he came to me and asked me—

Q. Now the four men who came to the front and fired, were they pointing toward Holland?—A. Yes, sir.

Q. When they fired?—A. Yes, sir.

Q. How soon did you know Holland was hit?—A. Well, soon after they shot I saw Holland fall.

Q. You saw him when he fell then?—A. Yes, sir.

Q. Do you know of any other place in the city where there were arms that night other than you have mentioned?—A. No, sir; I don't know as I do.

Q. How large a bag of cartridges was in this shop?—A. It seemed to be a half-bushel bag; it was nothing like full; I think it was about a half-bushel bag.

Q. What sort of pistols were they?—A. Very large pistols; I do not really know what kind.

Q. Do you know whose manufacture?—A. No, sir; I do not know.

Q. How many balls would they hold?—A. They seemed to be five-shooters.

Q. What length of barrel?—A. I do not really know.

Q. They were large size pistols?—A. They were large size pistols.

Q. And they were breech-loaders; they loaded from the breech with cartridges?—A. Yes, sir; it seemed so.

Q. Did you hear anything more by way of threat than what you have stated; that afternoon as the whites were coming up street did you hear anything further said?—A. I think I heard some of them holler out and say, "Kill every damn nigger we see," and some of them seemed to say, "No; they have run, and it is not worth while to kill them."

Q. Did you hear that said?—A. I think I heard Mr. Corbin say they have run, and it ain't no use to proceed after them.

Q. Now, do you know anything as to whether this preparation to kill the colored people was premeditated; whether it had been planned beforehand?—A. I think it was.

Q. What makes you think so?—A. Well, sir, they used to hold meetings in the hall of the Virginia House, called the Grays' armory. I live right back of it. I passed there at night and heard them speaking.

Q. What did you hear said?—A. I heard them say, "We intend to carry this election; if we cannot carry it by fair means we intend to carry it by foul."

Q. Could you tell from within who said that; could you tell from the voice?—A. One man who was speaking was Henry Barksdale; I heard him speaking one night.

Q. How long before this occurrence?—A. I guess it was a week before.

Q. When did you first see arms in that shop?—A. That was only after I got there.

Q. You had not seen them before?—A. I had not seen them before.

Q. Well, at any other place had you seen them?—A. No, sir.

Q. Were they kept for sale in the hardware stores you have named?—

A. Yes, they were kept for sale.

Q. Do you know whether they had any extra number there?—A. Not to my knowledge.

Q. Now, I will ask you this general question: Do colored people usually or generally go armed in Danville?—A. No, sir; they don't generally go armed; very few of them go armed. Some rowdies that go round and drink whisky at night carry pistols.

Q. Do the whites go armed?—A. A great many of them do.

Q. They generally go armed, do they not?—A. They generally go armed. Most of the colored people generally know it is against the law to carry pistols, and whenever a white man knows a negro carries a pistol they make him pay for it. If they carry them they carry them at night.

Q. Who made this threat you speak of since the riot? You spoke of some threat that put you in fear of telling what you know about this.—

A. Well, sir, I hear it as a general thing round town that any negro—

Mr. VANCE. I do not think that is testimony.

By Mr. LAPHAM:

Q. Can you name any one?—A. I do not think I can name a particular man, but I do not feel safe in testifying in this thing. I did not feel safe after what I had heard in testifying, and don't feel safe now.

Q. Well, did you hear it said that night?—A. No, sir; that night the colored people were afraid to come out.

Q. How soon after did you hear any such thing?—A. I heard it on Monday, and I have heard it since. I heard it a week or two afterwards—the time this committee of forty was coming around.

Q. Have you named any one who was on the grand jury?—A. No, sir; I do not know who was on the grand jury.

Q. Have you named any one who was on the committee of forty?—

A. I do not know who was on it. I was not before the committee of forty.

Q. Where were you on election day?—A. I was at work in the factory.

Q. Did not you vote?—A. No, sir.

Q. What reason was there why you did not vote? I will ask had you registered?—A. Yes, sir.

Q. You intended to vote then?—A. Yes, sir.

Q. Was there any other reason for your not voting except what occurred in Danville?—A. Well, sir, as for myself I felt safe in going up there myself and voting, but I did not think it would amount to anything by my going to vote, and I thought if the crowd went up there and voted—

Q. A crowd of colored people you mean, I suppose?—A. That they were liable to shoot amongst them.

Q. What portion of the colored people in your precinct stayed away from the polls on that day?—A. What portion?

Q. Yes.—A. Most all of the Readjuster Republicans, or whatever you call them.

Q. Very few of them went to the polls?—A. Yes, sir.

Q. Do you know how many colored votes were given?—A. No, sir; I do not really know. I know it was very few.

Q. Did anybody advise you to keep away from the polls?—A. No, sir; they advised me to go to the polls.

Q. The colored people were generally urged to go to vote, were they not?—A. Yes, sir.

Q. And were intending to go?—A. And were intending to vote; yes, sir.

Q. Before this disturbance?—A. Yes, sir. After that they were afraid to go in crowds; get shot amongst them.

Q. Do you know what proportion of the voters there are colored people?—A. Do I know what proportion were colored people?

Q. Yes; how many colored people are there there who are voters in that precinct, I mean?—A. I do not really know the number; I suppose there are between twelve hundred and fifteen hundred.

Q. They outnumbered the whites then?—A. Yes, sir. I do not really know the number.

Q. How many colored people do you know of going to the polls and voting, or don't you know anything about it?—A. I only heard one man say he voted.

By Mr. VANCE:

Q. They all voted up at Wimbersher's, didn't they?—A. I do not know; I did not go up there; I heard they did.

Q. You heard they did?—A. Yes, sir.

Q. When you heard the pistol fired, you say you were at Mayor Johnson's?—A. I was at the gate of Mrs. Lawson's.

Q. How far is that above Woolfolk & Blair's office?—A. Well, it is about 250 yards, I reckon.

Q. How many blocks?—A. The town aint blocked at all, and it is hard to tell.

Q. Do not the streets cross one another?—A. Yes, sir.

Q. And that makes blocks, don't it?—A. Yes, and this was two doors above the post-office.

Q. About 250 yards?—A. I suppose so.

Q. Did you run or walk down?—A. I walked very fast.

Q. You walked fast?—A. Yes. After I heard the pistol fired, and as I went on, I heard people say they were fighting, and went on to see what they were doing.

Q. Had the general firing begun, or was that the fist fight between Lawson and Noel?—A. I suppose it was the fist fight between Hense and Noel. I did not see the fist fight. I was not there when the pistol fired.

Q. Now, was there any more firing until you got down there?—A. No more firing until I got there.

Q. And instead of taking your position with the colored people you went up among the white people?—A. Yes, sir.

Q. Got between them and the office?—A. Yes, sir.

Q. Was there any other colored man there, in the same place?—A. No, sir, I don't think there was.

Q. Why, didn't you feel afraid to go up there among these desperate white men?—A. I saw that they were firing pistols out among the negroes, and I thought I would get in a safe place.

Q. You stayed there during all the firing?—A. While all the firing was going on I stayed there.

Q. And did you see who gave the command to fire?—A. Mr. Lea hol-
lered "fire."

Q. He had his pistol, did he?—A. Yes, sir.

Q. Who else had a pistol?—A. Mr. Hatcher, Mr. Covington, and Mr.
Oliver.

Q. Four men. Are these the only four pistols you saw in the hands
of white people?—A. Well, others had pistols, but they didn't fire at
that time.

Q. Now these men that fired at the command of Lea fired in the air
did they not?—A. Well, I didn't see them fire up in the air. They fired
up above the heads of the colored people who were in front. I think
they raised their pistols a little. I think some of them did, and I think
some of them shot right in the crowd. Don't think all raised their pistols.

Q. Did you see anybody fall the first fire?—A. I saw Mr. Holland.

Q. Holland fell first fire?—A. Yes, sir.

Q. He was on the sidewalk among the white folks, wasn't he?—A. No,
he was going from me towards a policeman. He was on the sidewalk
and spoke to me and left, and just before he could get more than 5 or 6
steps this firing commenced.

Q. Well, he was on the sidewalk, wasn't he?—A. Yes, he was on the
sidewalk.

Q. And the colored people were in the street?—A. Yes, sir.

Q. And their pistols were pointed towards the colored people or over
their heads in the street?—A. Yes, sir.

Q. Now, how could they have shot him?—A. Well, I just want to tell
you. Holland started from me towards the sidewalk across the street
towards the policeman. He said, "What are these men got these pis-
tols for?" asked me, "What's all this disturbance?"

Q. He said what are all these pistols here for?—A. Yes; and I told
him it was a fight between Lawson and Noel.

Q. Well, he was right by you then, wasn't he?—A. He was right by
me talking to me.

Q. Then you and he were both behind the white people?—A. I didn't
say at that time I was behind them. I may have stepped behind them
a short time afterwards; I won't say particularly. I know I was on the
sidewalk.

Q. Well, you were in the rear after the pistols fired?—A. Yes, sir.

Q. The pistols were all pointing the other way; the white folks with
pistols?—A. Yes, sir.

Q. And Holland was with you?—A. Holland was with me; a short
time after I got there he got there. He asked me why all this disturb-
ance was.

Q. He did not go to any of the white people, but went to you, as the
general manager of things?—A. He seemed to ask any one he knew.

Q. He did not know any of the white people, did he?—A. I suppose
he did.

Q. But he preferred to ask you?—A. I don't know; but he asked
me.

Q. What did you tell him?—A. I told him it was a fight between
Lawson and Noel. It seemed everybody got mad about it.

Q. Well, then, when was he shot?—A. He got shot just as he left
me; starting across the street towards a policeman.

Q. What policeman?—A. Cook; I think his name is William Cook.

Q. Where was that policeman?—A. He was on the other side of the
street.

Q. Right beyond the colored people over there?—A. Yes, sir.

Q. And he started to go across. How far was he from you?—A. Well, he didn't get very far. I know he was not very far.

Q. Was he off the sidewalk?—A. Yes, sir.

Q. How far from the sidewalk?—A. Not very far.

Q. Well, that is very indefinite. Was he 1 foot or 10?—A. He may have been 10 feet.

Q. He may have been 1, might he not?—A. He was more.

Q. More than 1 foot and less than 10?—A. I say 10, or more.

Q. Then he was in the crowd of colored people, was he not?—A. He was in the crowd of colored people.

Q. When he fell?—A. Yes, sir.

Q. He got out right in front of the white folks' pistols and got into the colored folks' ranks when he was shot?—A. When he was shot he was in the colored people's ranks.

Q. And more than 10 feet from the sidewalk?—A. Yes, sir.

Q. These white men all knew Mr. Holland, didn't they; these four that you mentioned?—A. I guess they did.

Q. Well, did you see any pistols in the hands of the colored people?—A. I didn't see a one.

Q. Did not see any weapons at all?—A. No, sir.

Q. Did you see any firing in their ranks, smoke or flash or report of pistols?—A. No, sir.

Q. Why did they stand so long? You said awhile ago that the firing lasted three or four minutes before they ran. Why did they stand so long?—A. They didn't stand so long; as soon as the firing commenced they commenced running.

Q. Commenced running. That is not what you said awhile ago. Who was it that went in front of them and said, "Don't shoot them, because they have run?"—A. I think it was Mr. Corbin. I know it was some white man. One says, "Let's kill all of these damn niggers."

Q. Yes; kill them all?—A. Another one says, "No; they are running now."

Q. Let them live awhile longer. Well, the firing stopped then, did it not?—A. I think it did; I think the firing was about over. I think the last man that was killed was near the corner.

Q. What corner was it that the last man was killed?—A. It was Mr. Wiseman's corner; corner Main and Union streets.

Q. Well, none of these desperate white men interfered with you?—A. No, sir.

Q. Did not say anything to you; you were standing right there at their back?—A. No, sir; none of them didn't say anything to me.

Q. And you saw a magazine of arms, pistols and cartridges inside of Mr. Woolfolk's office?—A. Yes, sir.

Q. How many pistols were there?—A. Not less than twenty-five.

Q. Were they all loaded? People went and got pistols, did they?—A. I saw people run in and get pistols and run out and shoot.

Q. Who did you see do it?—A. I saw Ned Jordan go in and get a pistol and come out and shoot.

Q. Who had charge of the arms inside?—A. Some of the young men that staid in there; some young man that staid in there had a gun in his hand; I forget his name.

Q. Did he do business in the office; live there?—A. Yes, sir.

Q. You don't know his name?—A. I disremember his name; he seemed to be officiating there.

Q. He gave out the pistols when the folks came in?—A. There was no giving out at all, they just came and got them.

Q. Free lunch; everybody went and helped themselves?—A. Yes, sir.

Q. Well, were they all taken out?—A. I don't know whether they were or not.

Q. Well, you staid until it was over, didn't you?—A. No, I kept backing. You see in three or four minutes after the firing commenced there was about three times more white people there than there were colored, and as they came up the street I backed back and kept going as they were, didn't get running but I staid right amongst them.

Q. Which way did the white people come that pressed you along?—A. They came up Main street.

Q. Well, going toward where?—A. Going toward the Arlington.

Q. What alley was that you made your exit through?—A. I went in at Mr. Paxton's jewelry store.

Q. How far up Main street toward the Arlington was that; how far from Woolfolk and Blair's office?—A. That was I reckon two or three doors. I disremember exactly now. I went in there and went out the back of it.

Q. Why did you do that, did anybody threaten you?—A. No, sir, didn't threaten me. As I got there there was some gentieman, I disremember who he was, he says "run out the back, run out the back, they won't kill you," and I run out the back.

Q. Well, you heard some stump-speaking in the armory hall?—A. I went to all the speaking I could get in.

Q. Did you get into those meetings where you heard these inflammatory speeches?—A. No, sir; they didn't allow no colored people.

Q. How did you hear; did you take a good position under the eaves of the house?—A. No, I passed there; the windows were up and I could hear.

Q. You stopped to listen, did you?—A. Yes, sir.

Q. Who did you hear?—A. I heard Mr. Barksdale and a great many.

Q. What did Mr. Barksdale have to say about national affairs?—A. There was one thing I heard him say, "We intend to carry this election; if we cannot carry it by fair means we intend to carry it by foul."

Q. Did he tell you what the foul means were?—A. He said it would be by the point of the gun.

Q. By the point of the gun?—A. Yes, sir.

Q. Could you see him to know it was Mr. Barksdale, or did you judge by his voice?—A. I could see him.

Q. Was he an officer of the club, or just a private in the ranks?—A. I don't know what he was.

Q. Where is he now?—A. He is in Danville, I reckon.

Q. What does he do there?—A. He is a lawyer.

Q. Well, did you hear anything else?—A. In a meeting I went to that was Democratic I heard them say, "We intend to carry this election; do anything to carry it."

Q. Well, they talked that openly, didn't they; they didn't make any concealment of it?—A. Yes, sir.

Q. And you think this riot was got up in pursuance of that policy, do you?—A. Yes, sir.

Q. Did not your colored people know that; did not they all understand that thing, that these threats had been made?—A. I don't say that all of them did.

Q. But most of them. You told it around, didn't you?—A. I may have told it to some.

Q. Well, you thought it of sufficient importance to your party that they should all know it, didn't you?—A. I may have thought so; yes, sir, I have talked it.

Q. Now how did it come that your folks were so ready for the riot that day, and would not obey the policemen, and would not go away?—

A. I suppose the majority of them that was there didn't have any idea that there was going to be any shooting.

Q. Well, they saw men with pistols, didn't they?—A. Certainly.

Q. And they heard them say if you don't leave you will get hurt?—

A. I reckon they did. Like me, I thought it was a violation of law to shoot men for nothing, and they would not do it.

Q. But they did not think it was any violation of the law not to disperse when ordered to by the authorities of the city?—A. They were not doing anything.

Q. Were not doing anything. But the law officers of the city ordered them to leave, and they were playing into the hands of the Democrats who were there to shoot them?—A. I don't say they were playing into their hands at all.

Q. As it turned out they were, were they not?—A. I don't know.

Q. Well, they threatened and you said there were twenty-five whites to a hundred blacks—about four to one.—A. I said there was about twenty-five to thirty white men and about seventy-five colored.

Q. After you got there, after the fist fight was over, the white people came up in large numbers, didn't they?—A. Yes, sir; directly after the fist fight was over they came up.

Q. Now, when this firing began by these four men, Captain Lea giving the command, how many colored people were then present?—A. Well, there may have been more than I first said; there may have been one hundred and fifty.

Q. Well, give us your best judgment.—A. I reckon there was one hundred and fifty, may be two hundred; the street was full at that time.

Q. How many white men were there when the firing began?—A. They came as fast as they could get there.

Q. I don't care how they came; when the first pistol was fired?—A. Soon after the first pistol was fired?

Q. Well, when the first pistol was fired?—A. I reckon seventy-five. When the first pistol was fired they were coming from every direction.

Q. When the first pistol was fired you were at the gate at Johnson's, 250 yards away?—A. Well, I did not mean that pistol.

Q. The first of the general firing?—A. Yes; that is what I meant.

Q. You say there was seventy-five men there, then?—A. I reckon there were.

Q. Was the fist fight over when you got down there?—A. Oh, yes.

Q. You have stated that the colored people there do not go armed, except a few rowdies of a night?—A. Yes, sir.

Q. Is there any householder among the colored people in that country that has not got a gun?—A. Yes, sir.

Q. Is it not a general rule that they have all got guns?—A. No, sir; it is not a general rule; some have got guns; men that like to hunt have got guns; I know a great many there that haven't guns.

Q. In proportion to their number haven't the colored people as many guns as the white people?—A. I don't think they have.

Q. You see a great many white people that don't have guns, don't you?—A. Yes, sir.

Q. A great many white people that don't hunt, that attend to business all the time?—A. Yes, sir.

Q. Is not it the same with the colored people?—A. A great many have guns and a great many not.

Q. Of both races?—A. Yes, sir.

Q. Now, I ask you in proportion to the number, are there not as many guns owned by the colored people as by the white people, and as many spend their time roaming about with guns among the colored people as among the white people?—A. I reckon there are.

Q. And after the firing was over some fellow hollered "Hurrah for we Democrats?"—A. Yes, sir.

Q. Do you know who it was?—A. I thought it was Mr. Lea.

Q. You thought it was Mr. Lea?—A. Yes, sir.

Q. Did you hear what Mr. Holland said about who shot him?—A. No, sir.

Q. How far were you from him when he fell?—A. I said about 10 feet or more.

Q. No; you said he was 10 feet from the edge of the sidewalk?—A. Well, I couldn't say precisely where I was; I was on the sidewalk.

Q. Did you help to carry him in or anything?—A. No, sir; I didn't go to him.

By Mr. LAPHAM:

Q. Do the white people generally have pistols?—A. Yes, sir; I know some of them had pistols.

Q. Well, do not a large proportion of them have them?—A. It is so supposed down there.

Q. Well, as far as your acquaintance goes?—A. As far as I am acquainted with them I know a great many of them have pistols.

Q. But they don't many of them have guns, do they?—A. Well, it is a very few that have guns. It is only men who like to hunt have guns, white and colored.

Q. How is it with the colored people; do they have pistols?—A. Well, sir, some colored people have pistols.

Q. Yes; but generally?—A. I think a majority of them are without them.

Q. Well, they hunt, don't they?—A. Yes, sir.

Q. They have guns for hunting?—A. Yes, sir; a great many of them hunt.

Q. Did you see any guns that night, except this man standing in the door with a double-barrel gun?—A. Yes, sir.

Q. You saw another gun besides that?—A. I saw guns.

Q. In the hands of who?—A. I saw Mr. Shadbow come running up the street with his gun; I saw men on horses going up and down with guns; a great many of them run home to get their guns.

Q. What time was this?—A. This was, I reckon, fifteen or twenty minutes after the shooting was over; they had got up round the Arlington, running in every direction getting guns.

Q. That was after the colored people had all dispersed?—A. Yes, sir.

Q. Did you hear them make any declaration as they were coming and going with these guns? Did you hear any one make threats?—A. No, sir; I don't think I did.

Q. Well, up to the time the firing stopped, did you see any guns except the one of the man standing in the door?—A. I did not.

Q. Do you know whether he fired?—A. I think he did.

Q. If I understood you, you saw people come out of that office; go in and grab a pistol, and come out and fire?—A. Yes, sir.

Q. So that the pistols were loaded when they got them?—A. Yes, sir.

Q. You know that, do you?—A. Yes, sir.

Q. They had not time to load them?—A. No, sir.

Q. Where were you that day up to the time of this affair?—A. Well, sir, all that day it was supposed that Mr. Sims would get killed or get hurt, and I was standing about on the street looking.

Q. Well, did you have any arms that day?—A. No, sir.

Q. Were these colored people who were there well known to the whites who were there?—A. Yes, sir; the best portion of them.

Q. The most of them were known to the white people?—A. Yes, sir.

Q. Did you know the colored men?—A. I knew a great many.

Q. A great many who were there that day?—A. Yes, sir.

Q. And you say you didn't see one of them have an arm of any kind; didn't see a pistol or gun?—A. No, sir; I did not see them.

Q. Did they come back at all after they had dispersed?—A. No, sir.

By Mr. VANCE:

Q. You say you did not go to work that day?—A. I went to work Monday morning.

Q. On Saturday, I mean; you did not work that day?—A. No, sir; there didn't any of the factories that day.

Q. It was feared that Mr. Sims was going to be attacked that day?—A. Well, I suppose, they shut up the factories. I expected to go to work Saturday morning, but I went and they shut up the factory.

Q. You were expecting some attack to be made on him that day?—A. Yes, sir.

Q. The colored people were expecting that, too, were they not?—A. Yes, sir; I suppose they were.

Q. Did that account for so many of them being present on the street that day?—A. On Saturday there is always a crowd of colored people on the street.

Q. I know, but they generally work the most of the day, Saturday, don't they?—A. They generally work, some until 12, some until 4 o'clock; most of them break up about 12.

Q. Don't you know now that a great many colored people were on the street in order to see if anything was going to be done to Mr. Sims?—A. I do not know that.

Q. Was not that your reason for being on the street?—A. That was my reason. In fact I was not on the street at the time the shooting commenced, but then I went down street that day when Mr. Sims was in his office to see if anybody came out, to see if anybody had come to bother him.

Q. You saw that he got away safely, didn't you?—A. Yes, sir; I saw him when he left town.

Q. Were the colored people in your town in the habit of carrying razors?—A. None but barbers. I never saw colored men with razors except it is barbers.

Q. Did you see any in the crowd that day with razors?—A. No, sir.

Q. You say Mr. Dance fired his gun?—A. I think he did.

Q. Can't you be certain of it one way or the other?—A. I am pretty certain. I was close to him and I was pretty certain he fired that gun.

Q. How many times did he fire both barrels?—A. I think he fired once; he may have fired twice; I think he fired once.

By Mr. LAPHAM:

Q. You did not come out in the street until you heard the pistol fired, did you?—A. No, sir; I went up to Mr. Johnson to pay him some

money, and I was coming away, and I heard a pistol fired. I went down to see what it was.

Q. You had not expected anything until you heard that pistol fired, did you?—A. Well, from what I could see that morning I thought it was liable to be something.

Q. You did not know of it before you came up there?—A. After Mr. Sims left I did not think there would be anything.

Q. How far was your working place from where this disturbance occurred?—A. This disturbance was on Main street, and my working place was—I have forgotten the name of the street.

Q. Well, about how far?—A. I don't suppose it was over 250 yards.

Q. You went to pay money to Mr. Johnson?—A. Yes, sir.

Q. And while coming from there you heard the pistols?—A. Heard the pistols.

Q. And then you went down and saw what you have described?—A. Yes, sir.

By Mr. VANCE:

Q. What factory were you working at?—A. A. W. & C. G. Holland.

GEORGE A. LEA sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in Danville.

Q. Were you in Danville on the occasion of the riot?—A. I was, sir.

Q. Where did you first hear what was going on; were you in the opera house?—A. Yes, sir. I was requested by Mr. Taylor to assist him as doorkeeper in the gallery of the opera house on that day, or Colonel Cabell had made the request through him, and we were up in the gallery for that purpose.

Q. What instructions did you receive there?—A. I received no instructions at all.

Q. To keep order?—A. To keep order.

Q. Was it to keep any one out?—A. Yes; to keep niggers out; that it was a private meeting.

Q. That was the order, to keep out all the negroes and not any of the white men?—A. Those were not the orders of Mr. Cabell, but Mr. Taylor said that that was what we were there for.

Q. You were acting with Mr. Taylor at his request?—A. At Mr. Taylor's request.

Q. Did you receive any word about Mr. Noel or from Mr. Noel at that time?—A. Mr. Noel in a few moments after I took my seat in the gallery came to receive a message that I told him I wanted delivered in the country to a relative of mine that he was going to visit, and I remarked to him, I says, "Charley, how about your difficulty?" having heard of it. He says, "Well, I have concluded to postpone it, as there is very heated excitement in town," he says, and "if we were to resent that injury, I am fearful it will bring on a riot and I will wait until after the election to resent the injury." I says, "It is very hard to take such an insult;" whereupon he left me; his horse was standing at the opera house door, and was being held by my boy; he got in his buggy—

Q. Well, you cannot say what he did unless you were present; I don't ask you for hearsay. He left you?—A. Well, there are circumstances that are connected with it.

Q. Well, he left you?—A. He left me and went down the steps of the opera house; I saw that.

Q. Then, when again did you see or hear from him?—A. Mr. Noel in five minutes returned and remarked to me, "This scoundrel has insulted me a second time, and it is more than I can stand; please come, you and Taylor, and see that I have fair play;" whereupon we got up and went up the street.

Q. Were you at that time armed?—A. I was.

Q. Had you been previously notified of this difficulty?—A. I had not; I expected the difficulty that morning.

Q. And you were armed; how were you armed?—A. I was armed with a 38-caliber Smith & Wesson.

Q. A five-barrel pistol?—A. A five-barrel pistol.

Q. When did you get that?—A. I got it some months previous, and I would like right there, in justice to myself, to state where I got it.

Q. Well, it is not material.—A. I think it is material with me.

Q. At any rate that would be more proper in the cross-examination. I want simply to get a connected narrative of what occurred. Now, when you received word from Noel that he had been insulted the second time, what did you then do?—A. I followed my friend, as I regarded it my duty to do.

Q. You and Mr. Taylor and Noel went down together?—A. We three only, sir.

Q. How far from the opera house before you encountered Hense Lawson?—A. Well, Hense Lawson and his crowd—

Q. It was Hense Lawson was the man?—A. That Noel was hunting for? Yes, sir; and we encountered his crowd four doors above the opera house, four or five probably.

Q. What do you mean by Hense Lawson's crowd?—A. I mean that after he had insulted Noel he had collected his crowd, twenty in number, and had come down as far as Ruffin & Woolfolk's office from the Arlington hotel to meet Mr. Noel.

Q. How do you know that he collected them or whether they collected gradually?—A. I know it, because gentlemen of integrity told me they saw him do it.

Q. Well, it is not evidence to give that, and I wish to caution you.—A. I saw these twenty niggers in company with Lawson. I saw that. I won't be positive about twenty, but fifteen or twenty; I saw that.

Q. Then what occurred; what did Mr. Noel do?—A. Noel remarked to me, "He has got his crowd and I don't intend using any weapons at all. I intend to give him a good, sound fisticuff, and you and Taylor must keep the others off of me."

Q. Was Noel at that time armed?—A. I do not know.

Q. Did not you see arms?—A. I did not see arms on his person or anywhere about him.

Q. But you were armed?—A. I was armed; I don't know whether Mr. Taylor was or not—yes, Mr. Taylor was armed.

Q. But whether Noel was armed or not, you do not know?—A. I cannot say.

Q. But he said he would not use arms?—A. He said he would not use arms but would give him a good sound thrashing.

Q. There was great excitement prevailing there at that time, was there not?—A. No, sir; there was no great excitement at that immediate time.

Q. What did Mr. Noel do, accompanied by you two; what was done in your presence?—A. Mr. Noel met this darkey and asked, "Why did you holler at me a second time in the insulting manner you did." He stammered and tried to deny it, whereupon Noel collared him.

Q. What did Lawson say?—A. He tried to deny it; I have forgotten his exact words.

Q. If he tried denial you can tell whether it was by language or by nodding of the head?—A. I think he said I did not holler at you, or something of that sort.

Q. What next did Mr. Noel say?—A. They both made at each other simultaneously, and Noel got him in the collar.

Q. Which struck first?—A. They both made at each other instantly. I can't tell which. I suppose Noel, being the best fighter of the two, got in the best lick, and the first lick.

Q. What was the result?—A. The nigger got a genteel thrashing.

Q. Was he knocked down, or did they both stand up?—A. No; Mr. Noel had him in the collar, and beat him pretty good in the face.

Q. Did you see Lawson strike any blow?—A. I saw Lawson attempt fifteen or twenty blows, but he could not reach Noel, because Noel had the advantage of two or three inches of length in the arm.

Q. And you and Taylor stood by and saw this?—A. We stood there.

Q. Were your pistols exposed at that time?—A. As soon as Noel and the nigger went together, this nigger rushed up to get to Noel, whereupon I drew my revolver and demanded fair play.

Q. You two armed men stood by and saw the controversy. Were the negroes armed?—A. I did not see any arms—yes, I saw arms on the person of Mr. Robert Adams, who came up with pistol arms.

Q. But did you see any of these fifteen or twenty persons whom you mentioned, with arms?—A. I can't say I did.

Q. Then, I understand you, Noel gave Mr. Lawson a thrashing?—A. A pretty genteel one.

Q. What size man is Noel?—A. There he stands right up there [pointing to him], a picture of manhood.

Q. Six feet tall?—A. Yes, sir.

Q. And you three young men were armed?—A. Yes, sir. I do not know that I could be considered very young; I am a married man.

Q. And you saw your friend Noel give this man a thrashing? What did Lawson do?—A. Lawson put up the best fight he could.

Q. He was at a disadvantage, you say; was not able to strike his opponent? Then did you come off?—A. No, sir; we could not get off.

Q. What was the matter; the negroes, I suppose, became excited?—A. The niggers crowded in.

Q. Suppose that three negroes had attacked a crowd of white men in this way; suppose the position of the races was reversed exactly, and three armed negro men had attacked one white man surrounded by fifteen unarmed white men, would not you have been excited? As a white man, I will ask you if the negroes were not very much excited by this assault?—A. Not only they did not seem to be very much excited, but seemed to have very much ebo in them.

Q. What is ebo?—A. They seemed to be mad, sir.

Q. Would not you have been mad?—A. I think I would.

Q. What did the negroes then demand? Didn't they demand your arrest and punishment?—A. They did not.

Q. Did not the policeman come up with his pistol for the purpose of keeping them quiet, and dispersing them, &c.?—A. That policeman did nothing at all. He was ordered by me to separate these men.

Q. Then you took command and ordered the policeman to disperse those men?—A. Yes, sir; I took command from the simple fact that he did not know how to have them parted, and I was afraid that Noel might kill him with his fists, and I had them separated.

Q. You thought probably that Noel might kill Lawson?—A. I thought there was a probability of his hurting him badly, and I did not want to see him beat up any more.

Q. Well, did not the policeman come in and try to separate them? Was he afraid to do it?—A. I don't know whether we was afraid or not.

Q. Would he have been in danger of violence if he had interfered?—A. If he had commanded the peace in a proper manner he would have been allowed to separate them; but when a man commands the peace before any pistols had been——

Q. You had your pistol out?—A. He had his pistol out first.

Q. As a policeman, had he not a better right to command the peace than you had?—A. Under the laws of our State I think he had no right to draw that pistol before he commanded the peace. My understanding of it is that when I drew my pistol the first time his pistol was near the head of Mr. Noel, whereupon I leveled mine as near his face as I could get it.

Q. You say you drew your pistol not to keep off colored people but the policeman?—A. The policeman came up with the rest of the niggers; he did not come up as a policeman.

Q. Then you drew your pistol to prevent the policeman with a pistol in his hand from separating them?—A. I drew my pistol, as I thought, to prevent the policeman from killing my friend Noel.

Q. You took your pistol then to prevent the police officer from doing his duty?—A. I did not regard it as his duty to kill my friend.

Q. Had he not the right to take the direction of matters to keep order?—A. Not with a pistol at his head. I resisted his attempt to kill my friend, as I believed.

Q. Do you say upon the obligation of an oath that you believed that policeman intended to kill Mr. Noel?—A. He had his pistol out and in the proximity of Mr. Noel.

Q. Do you believe that this man intended to kill Mr. Noel?—A. It was evident that his intention pointed in that direction.

Q. I ask you now if you thought that was his purpose?—A. My dear, sir, I do not know what I thought at the time.

Q. At any rate you three men armed (two of you at least armed), and the only arms you saw there were in the hands of the policeman, and you interfered to prevent the policeman from separating these two men?—A. Did not make any attempt—excuse me—to separate them.

Q. Then you say you took command and ordered the policeman to disperse the black people?—A. No, sir; I ordered the policeman to separate Noel and Hanse Lawson. I did not order him to disperse the crowd at all.

Q. You say you ordered him to separate them?—A. I did, sir.

Q. Was he not in the process of doing that before you drew your pistol?—A. No, sir; he was in the process of pointing his pistol, as I thought, towards Noel's head.

Q. What did you do toward aiding in the separation of these men?—A. It kept me pretty busy to protect my own person.

Q. You were defending yourself?—A. Yes, sir.

Q. Against whom?—A. Against a negro; very tall; fully 6 feet; I should think he weighs 200 pounds.

Q. What was that negro doing to you?—A. He was attempting to wrest my pistol from my hand.

Q. Attempting to disarm you?—A. Yes, sir.

Q. Did he have a pistol in his hand?—A. I think not.

Q. But he tried to disarm you? I will ask you the question, did he

not have a right to disarm you with a drawn weapon, in a controversy of that kind, in your judgment, under those circumstances?—A. I do not think so.

Q. If the white men had interfered under like circumstances to disarm you, would you have thought it improper?—A. I most undoubtedly would.

Q. But you thought you had the right to have your drawn weapon under those circumstances, and that nobody had a right to disarm you, not even a policeman?—A. I would not have resisted——

Q. [Interposing.] What right had you to order a policeman to separate two contending parties?—A. I had no right. I will modify that. I do not know that it was an order; it might have been a request.

Q. Well, you spoke about an order, assuming command.—A. Well, we generally speak that way to that class of people down there. We are in the habit of ordering them.

Q. Whenever you come in contact with a negro you think you have a right to order him. That is undoubtedly the prevailing feeling, is it not?—A. I suppose it is.

Q. Suppose he is a freeman, and has his rights, would you have the right to order him any other way than you would a white man?—A. We most always order him, sir.

Q. Is not that the real foundation of this trouble, that you considered the negro not like a freeman, but as a slave?—A. I will answer that question if you will allow me to illustrate what I mean by going off the subject a little. I think under similar circumstances it has been proven that people who did not own slaves treat them worse when they are with them than those who did.

Q. I did not speak so much about that; but take the case of a single white man. You say the natural feeling among white men there is that they must command the negro?—A. I don't say that is always the case. I cannot speak for other people, but those are my feelings usually.

Q. That you have the right to command them, and not request them?—A. I always command them. I would not speak to them in the same way I would speak to a white man.

Q. Would you not threaten them under circumstances you would not a white man?—A. I have taken more from niggers in Danville than I ever would from a gentleman.

Q. Well, take a white man; he would do just the same; leaving out the word gentleman?—A. In my definition of the term, they could not exactly answer to that term.

Q. I mean do you call all white men gentlemen, and all negroes something else?—A. Not by any means.

Q. Then take a white man that you would not class as a gentleman, would you take from him that which you would not take from a negro?—A. I don't know.

Q. Then you are disposed to treat all you do not call gentlemen alike?—A. I would.

Q. Would you have treated a white policeman who came there in the exercise of his lawful authority in the way you treated that colored policeman?—A. If he had drawn his pistol in the way he did, being a white man, I would undoubtedly have protected the person of my friend as I did from that nigger.

Q. And would you have resisted the lawful officer of the government in the execution of his duty?—A. I can't see how you can say it is the execution of his duty to point his pistol to my friend.

Q. Might he not point his pistol to your friend and say, "Now put an end to this affray?"

Mr. VANCE. "If you don't stop this affray, I will murder you."

The WITNESS. Yes, sir.

The CHAIRMAN. That is your view of it. Let us go on now. As to these two men, you say that Noel had given Lawson a thrashing?—A. A pretty good one.

Q. And Noel was satisfied. Where did Noel go then?—A. Noel went to wash his hands.

Q. He went inside of the building?—A. I don't know where he went. I heard that he went to wash his hands. He left us.

Q. You did not see?—A. I did not.

Q. Did you see anything more of him during that affray?—A. During the affray, I did not.

Q. Now, what occurred there after he left?—A. After he left they rushed up and demanded to see the faces (to use their exact language) of the damned white man that did that shooting.

Q. Now, didn't you think that a reasonable request?—A. To coerce a man?

Q. No; to demand to see the face of the man who committed this violence?—A. I did; and thereupon I walked out and showed them my face.

Q. Very well; what then?—A. Then they said, "We are going to have our rights, shoot them, damn them."

Q. Shoot whom?—A. The white men that they had alluded to.

Q. Before you reached this point had not Mr. Taylor fired his pistol?—A. No, sir; he hadn't.

Q. Had you fired your pistol?—A. I refuse to answer that question.

Q. Then you decline to answer?—A. I do.

Q. That is the point?—A. Yes, sir.

Q. Now, I ask you whether, in the midst of the affray, you did not point your pistol and fire?—A. I refuse to answer.

Q. On what ground do you refuse to answer?—A. Because I have a right—it is stated that I have a right to refuse.

Q. Because you have been advised by those in whom you confide that you have the right to refuse on the ground that it may criminate you. Is that the purpose?—A. I refuse because I have been instructed that I have a right to do so.

Q. Have you been so instructed here?—A. I heard the instructions here given out by Senator Vance yesterday morning during the course of this examination.

Mr. VANCE. And assented to by the chairman.

The CHAIRMAN. All I desire is that the witness should claim his own right. He can only refuse it on one ground—that the answer would tend to criminate him; and I assume from the answer of the witness that that is the ground upon which he bases it. However, let us go on. After this affray, and after what occurred at that time, which has been testified to by other witnesses, you say the colored people showed a great deal of feeling. Were they mad?—A. A great deal, sir; so much so that I was so much in the fear of being shot into smithereens that I turned and told a friend of mine for God's sake to run to the opera house and bring my brother, or I would be killed before he got there.

Q. Did you not know at that time that you had six hundred men in the opera house within a short distance, all of whom were on your side?—A. I didn't think about them coming to my side; I thought

there was an equal number of niggers outside. I think there were six hundred there.

Q. Very well; did you not know that you had six hundred men in the opera house?—A. Of course I know we had the lower floor of the opera house filled, because I had previously been up there.

Q. And they were within easy reach?—A. They were within easy reach.

Q. And you were fearful that these negroes were going to attack you?—A. I was fearful—as they walked up and said that they were going to do it—that they would kill me, Noel, and Taylor.

Q. Let me ask you if the positions had been reversed—if a black man had made this assault, would you not have been mad, and, if armed, would you not have killed the three colored men?—A. You would not have found a great crowd of white men in the South to be so cowardly as to overpower three men.

Q. And yet you felt at liberty to go armed to attack the one unarmed negro who was abusive. You felt justified in doing that. You say you felt justified, you three armed men, in going into this crowd to resent what you call an insolence; but you would not justify them in resenting the firing upon one of the number, the beating of another of them, by an attack upon you, and your arrest and imprisonment, and possibly your death—you would not justify that. If they were black men, would not you, standing by with fifteen or twenty associates, have felt that they ought to be punished, ought to be arrested, and ought to be imprisoned and punished according to law?—A. I guess I would have felt so.

Q. Then you do not blame the colored people for being angry, do you?—A. I do.

Q. You blame the colored people for being angry when they saw one of their number beat, and another shot?—A. I blame them for trying to overpower three men, as I thought.

Q. But that is upon the point that you had too few in number?—A. Exactly.

Q. But did not you know that you had six hundred within easy call?—A. What would they have done? We would have been killed in the instant before they could have gotten there.

Q. Then you think the colored people ought not to have got mad until you were an equal number? They ought to have kept quiet until the white people came in sufficient number?—A. I don't think they ought to try to overpower three men. I think they ought to have staid back and let us have fair play.

Q. How soon before you were reinforced by a number of white men, you three?—A. Well, sir, immediately the fight between Noel and the nigger had been concluded, Mr. Hatcher, Mr. Corbin, Mr. Peter Booth, all came up. Mr. Hatcher tried his uttermost to disperse them, promising them if they would disperse we white people would. Mr. Peter Booth walked out among them and said, "For God's sake disperse; don't you bring on a row;" and he also promised them if they would disperse that the white people would.

Q. How many joined you?—A. That was three.

Q. Did any one of those white people who tried to disperse the colored people suggest the propriety of the colored policeman arresting you and Mr. Taylor and Mr. Noel?—A. Did any of these white gentlemen suggest it?

Q. Yes.—A. I did not hear them suggest it. It was no time for arresting then. It was time to keep down a riot.

Q. They did not propose then to arrest you, who had violated the law?—A. Who did not?

Q. These other gentlemen who came to your rescue. They did not propose to arrest you?—A. They had no authority to arrest me. They were not officers.

Q. Why did they not advise the negro policeman to arrest you?—A. I don't know.

Q. In other words, they took sides at once with you, did they not?—A. I don't say that; but they walked out in the crowd, and Mr. Corbin insisted—had a conversation with them—to please go; every man to leave.

Q. Who did these gentlemen expect would fire in this crowd of negroes; the white men?—A. They expected it would bring in other white men, of course, and have a fight.

Q. Did any one of them advise the arrest of those who had violated the law—you and Taylor and Noel?—A. I don't think any such advice was given. I did not hear it.

Q. But the great object was to disperse the crowd of negroes who got mad, as you say?—A. Yes, sir.

Q. You were reinforced by how many before the firing commenced?—A. I think fifteen is all, to the best of my judgment. I do not think it exceeded twenty; certainly not over twenty.

Q. How many of these were armed?—A. I cannot say as to that.

Q. When did the firing commence?—A. The firing commenced soon after the fifteen got up there.

Q. Who fired first, so far as you know?—A. I cannot say.

Q. Well, do you know?—A. I think it was simultaneous. I think there was firing on both sides at the same time.

Q. On both sides?—A. I do.

Q. How many shots were fired by the white people, do you suppose?—A. I suppose fifty or seventy-five, may be.

Q. Did you see pistols in the hands of the colored people?—A. I did.

Q. How many of them?—A. I cannot say; I saw several.

Q. Can you name one of them?—A. I do not know but two or three negroes that were in the crowd.

Q. You cannot name them?—A. I cannot.

Q. You say you saw weapons in their hands?—A. I did; and I saw them pointed right at me, too.

Q. What business are you engaged in?—A. Tobacco.

Q. Then you were brought in contact frequently with the negroes?—A. I was; but the best negroes in town at that moment were employed in the factories, and these were, the most of them, the rabble of the town.

Q. You think they had some weapons, but you cannot say you saw one?—A. I know that I saw some.

Q. You saw weapons?—A. I did.

Q. You cannot name the men?—A. I cannot.

Q. Can you name the white men that carried weapons besides yourself?—A. I cannot name but one man in the world that carried weapons; that was Mr. Taylor, who accompanied me.

Q. Did you not see the others fire?—A. I heard the firing, but I was not looking at the others.

Q. Why did you and Taylor carry your arms there?—A. I had been carrying arms for three weeks, and I would like to tell you why I was carrying them; because of threats——

Q. Well, I do not care about that now. You had carried arms for some weeks?—A. About three weeks.

Q. Do you know why Mr. Taylor was armed?—A. I do not.

Q. Did you expect when you went there that the arms would be useful to you?—A. I did not, honestly. I thought as fifteen or twenty colored men ran up and complimented my action very much I would like to know them and I would like to call them by name. They complimented me on the manner in which I acted. They said, "You have acted the gentleman."

Q. Who said that?—A. The negroes.

Q. What negroes?—A. I do not know their names. I have told you I did not know but three or four in the crowd.

Q. Was that the whole crowd?—A. There were at least eight or ten rushed up and said that.

Q. There was not more than eight or ten of them; how is it you fired then right into the arms of these men who had been so kind to you; why is it that the white men fired into these people?—A. Some of these people were allowed to break through our little squad and pass through the office of Woolfolk & Blair, and pass through the back way.

Q. The good darkies were allowed to escape then through your crowd?—A. Yes, sir; those who did not come with hostile intention.

Q. Then you did not fire into the blacks until you had picked out the good ones?—A. We did not take any pains to pick them out.

Q. When, in the general firing which you decline to speak about, they fired upon the men that you describe, when, in the general firing, did you begin to shoot?—A. When I considered that they were shooting at me.

Q. Do you say that they shot at you first?—A. I say that I know they shot at me and I recollect looking right near the mouths of some pistols and they looked right large, looked much like cannon to me then.

Q. And you think they were firing at you?—A. I know that.

Q. Did you shoot then at the person you thought was going to fire at you?—A. I did not; I conscientiously avoided singling out any one individual.

Q. How many times did you shoot—I mean at this time?—A. I do not want to answer that question; I refuse to answer that.

Q. Did you give the command to fire?—A. I did not.

Q. You did not?—A. No, sir.

Q. Did you see any one else fire?—A. I cannot say positively that I did; during the excitement I couldn't call anybody to mind.

Q. Well, the negroes dispersed; they all scattered?—A. Yes, sir.

Q. How soon; as soon as the firing commenced?—A. As soon as the firing commenced.

Q. And disappeared?—A. Yes, sir.

Q. I will ask you after they disappeared were you appointed a special policeman?—A. I was appointed by a Readjuster mayor on the Monday following, and sworn in as his private guard.

Q. A special policeman?—A. As his private guard.

Q. Was your testimony taken before the committee of forty?—A. It was not.

Q. Were you there at the time?—A. I sent my wife away some time previous to the riot; I was afraid for her to stay in town, and I went up to see her during the time.

Q. You were away at the time of the election, were you?—A. I was.

Q. You were there when the testimony was taken?—A. I think I was there probably during the sitting of the committee. They thought my

evidence not necessary, as Mr. Dance testified in substance to exactly what I would and others.

Q. I do not want to ask you about your private affairs, because I have to treat you courteously, but I will ask you if your wife went out because of the condition of affairs in Danville?—A. She went out from threats she heard from negroes; I sent her myself.

Q. You sent her outside of Danville?—A. I did.

Q. How far away from Danville?—A. I sent her to her home in Halifax County; twenty-five miles.

Q. How long was this before the riot?—A. A week or ten days.

Q. You then expected trouble, did you?—A. I did from the threats I was hearing from the negroes.

By Mr. VANCE:

Q. You were asked two or three times if you carried a pistol, but were not permitted to say why?—A. Yes, sir.

Q. Now, you can state why you bought a pistol and carried it.—A. Squire Taliaferro, a leading brindle-tailed Coalitionist-Republican, stated that a few citizens from North Carolina had come there and were trying to run the government of the people there, and he would have North Carolinians to know that they could not control them; and I had heard of a great many threats that they had been making about me and my brother, and we were advised of this by our friends. I never previous to that time owned a pistol in my life; I never owned one.

Q. You bought and carried it, then, in contemplation of your personal safety?—A. Yes, sir. My brother had been attacked upon the street by the negro Lewellen, who was in company with Hense Lawson, and had been threatened variously, and he insisted that I should carry a pistol also as well as himself to protect himself, and that is the first time I have owned a pistol in my life.

Q. You are a native of North Carolina, are you?—A. Yes, sir; I am proud to say so.

Q. You moved to Danville and settled there?—A. Yes, sir.

Q. Engaged in the tobacco business?—A. Yes, sir.

Q. Now, Mr. Glass, a colored man, states that you and Covington and Oliver and one other man came up armed, and that you gave the order to fire, and that you four first fired?—A. That is false; I did not give any such order.

Q. Did not give the order?—A. No, sir; I did not, positively. At the time the firing commenced (I forgot to state it here), directly the firing commenced, I was in conversation with my brother in regard to myself. He had heard at the opera house that I had been shot and he was questioning me in regard to where I had been shot, and when I looked up the firing had commenced.

Q. That was after the fist fight?—A. Oh, yes; after the fist fight.

Q. Well, do you know whether the first volley that was fired from the pistols of any of the white people was shot in the air or not?—A. The first volley, I think, was fired right into the crowd, but afterwards there was a great many pistols fired into the air after they commenced to run, I mean.

Q. After they commenced to run you know a good many pistols were fired into the air?—A. Yes, sir.

Q. To accelerate their speed; to disperse the crowd?—A. Yes, sir.

Q. Not with a view of injuring anybody unnecessarily?—A. No, sir.

Q. Did you see Holland shot?—A. Yes, sir. If you will allow me to illustrate that I will be glad. This desk [illustrating] represents Wool-

folk's office door. I was standing at the upper edge of that door in this position, in the gutter, right near the sidewalk. Holland was behind me, going up Main street, on the sidewalk. I being in the gutter, Holland, on the sidewalk, was raised up a little taller than I. The shot that was fired at Holland was aimed directly at my head, I am confident, and hit Holland in the back of the head. It is absurd to say it was shot by white men.

Q. What direction did the shot come from?—A. The shot came from [illustrating.] This faces Main street. This is down Main street. This shot came from out in the line of the negroes down beginning to the front of Voss' hardware store near the middle of Main street.

Q. Well, Glass also told us who shot him; he gives the name.—A. Who shot Holland?

Q. Yes. That either Hatcher, or you, or Oliver, or Covington, shot him?—A. I do not think Mr. Hatcher had a pistol at all, and Covington I know to an absolute certainty did not have a pistol, because during the firing he stood with my brother right by my side and said, "For God's sake give me a weapon," and reached down right between us and picked up rocks and commenced throwing them.

Q. Was that after Holland was shot?—A. Yes, sir.

Q. Have you any doubt about his being shot by the darkies?—A. None whatever.

Q. How many pistols did you see in the hands of colored men that day?—A. I saw some eight or ten, fully that many, pointing directly at us and daring Taylor and myself to show our faces; daring us to come out and show our faces, saying "This thing might as well be settled right here, right now," emphasizing that point.

Q. Now, Mr. Lea, I take it you are a man of reasonable firmness in danger; do you consider it was necessary for the safety of the white men on that sidewalk there to fire upon that crowd?—A. We would have been shot into smithereens if we had not. Not only we, but our women and children would have been murdered in their houses if we had given away one inch. If we had given away one inch our wives and sisters and our mothers would have been murdered at home, because the leaders of them had threatened it just a day or two previous to that.

By the CHAIRMAN:

Q. Did you hear that?—A. I did not hear it, but a man told me who I look on as reliable.

By Mr. VANCE:

Q. Well, Mr. Lea, I only asked for your opinion at that time, and now as to the necessity of firing upon that crowd?—A. I showed the fear that I had by sending to my brother to come and help me; that I was being overpowered.

Q. Mr. Sherman asked you if you did not know that five or six hundred of your friends were in that opera house?—A. Yes, sir.

Q. If there had been any attack made upon you and your associates there on the sidewalk by the negroes could you not all have been killed before the opera house men could have got out?—A. It usually takes at the opera, which has small doorways, I reckon from a half to three quarters of an hour for all of them to get out of the house.

Q. You think it would take at least thirty minutes to empty the house when it was full?—A. Fully, sir.

Q. Was there not time for aid from them?—A. There was no time for aid, nor the fact of their being there did not make me any more bold.

Q. Well, you feel then, did at the time and do now, that the firing there was necessary?—A. For the preservation of our lives, I do, sir.

Q. And that if you had retreated or given way it would have been disastrous in more respects than one?—A. Not only to ourselves, but to our wives and sisters.

Q. That was your honest opinion about it?—A. That was my honest opinion about it.

Q. And you say that after the colored people broke and run you knew that many pistols were fired in the air. Do you know that anybody did shoot any after they began to run?—A. I can say, sir, that I cannot imagine how an excited crowd of people could under any circumstances show as much mercy as they did; and even while they were on the retreat I heard two or three remark, "I am sorry that these poor negroes are killed; it ought to have been the leaders who put them up to it."

Q. What do you think was the cause of the unusual excitement there, more than attends other elections?—A. I think it was Mr. Sims's speech directly that caused that and the Coalition rule of the town. The first starting of this whole thing was the cold-blooded murder of one of our best citizens by the mayor of the town, who is a brindle-tailed Coalition Republican Readjuster.

Q. That was the first starting of the bad blood. Well, there was a good deal of misrule beside that, was there not?—A. Oh, indeed, there was.

Q. And outrages upon the feelings of the better class of the community?—A. I have seen negroes on the most prominent corner, where people generally assemble in our town, which is known as Wiseman's corner—I have seen negroes form a line there. I have seen this; did not hear it; seen it, and forced ladies to walk from the sidewalk out into the street, and after they passed turned and said, "Go, you poor white trash."

Q. All that got up bad blood?—A. Why certainly.

Q. Mr. Sherman asked you a great many questions tending to show that there is a feeling there not to regard the colored people there as entitled to the same protection of the law, and all that kind of thing. Is there such a feeling there that the colored man is not the equal of the white man in law, before the law, or is it a feeling that he is a social inferior?—A. Entirely the feeling that he is a social inferior.

Q. Is there any disposition in that community, or was there at the time, to refuse the colored man all his rights before the law?—A. No, sir; not that I have ever heard.

Q. It was not the rule of the colored men you objected to because they were colored men, was it?—A. It was on account of their ignorance and incapability; they did not know how, if they were disposed in the right direction, to administer the law right; they did not know how to do it.

Q. Were they not in the hands frequently of bad white men?—A. Indeed they were. In fact, the town government was run by the United States officials in the Government office. The president of our council was the revenue collector at Danville.

Q. Were there any members of the council who were also clerks and employés in the custom-house or revenue office?—A. I think a negro by the name of Payne was in the council also.

Q. Was he likewise employed at the revenue office?—A. Yes, sir. Betz held a position there, too.

Q. Was he likewise a member of the council?—A. Yes, sir.

Q. Do you know of anything, directly or indirectly, tending to prove that there was a conspiracy or a combination to bring on this riot for the purpose of intimidating the negroes on the day of the election?—

A. I certainly do not.

Q. Did you ever hear of such a thing? Did you ever hear of such an attempt made in the council of your party or anywhere?—A. We were frequently exhorted to keep cool all the time and under all circumstances; keep cool.

The CHAIRMAN. Will you please repeat the question and answer?

Mr. VANCE. The question was whether he knew anything directly or indirectly to prove a conspiracy or concerted design for the purpose of bringing about this row?

The WITNESS. And my answer was that we were exhorted frequently to keep cool; not to have a fuss; to take any insult that might be given rather than to have a fuss.

By Mr. VANCE:

Q. Do you know whether the people assembled at the opera house was armed that day or not?—A. I do not.

Q. Don't you know that in fact after the row began and the opera house people had come out in the midst of the excitement that they dispersed everywhere in search of arms?—A. I do, sir; I saw that.

Q. You saw them going to get arms?—A. I did, and I heard Colonel Cabell speak on the corner and heard what he said, and his words were these, "Men of Danville, you have always listened to me in times of peace, I exhort you now not to have anything more to do with these negroes, but to stop it." I cannot say that is verbatim, but that is as near as I can recollect it.

Q. And you were standing, when this firing began, as you have explained, near the door of Woolfolk & Blair's office.—A. I was at the right of the door.

Q. You could see into the door, could you not?—A. I was kept too busy to look in there.

Q. Well you could see in there?—A. Oh, yes.

Q. Did you see anybody going in and out to get arms?—A. I don't recollect seeing anything of that sort; except young Dance with a double-barrel shot gun, and but for him, I believe I would have been killed before any firing was begun. Whenever he saw a negro raise a pistol he would bring the gun down, but I am positive he never fired that gun.

Q. You think his threatening attitude protected you?—A. Yes, sir.

(The committee here took a recess and reassembled at 2 o'clock.)

By Mr. VANCE:

Q. Mr. Lea, when we took a recess I was asking you about the situation of Mr. Woolfolk's office, and where you were at the time with reference to the door of his office, which you answered. Now, I want to ask you if there were any arms, pistols, or cartridges in that office that day?—A. I spent the better part of the morning there, being a very intimate friend of the firm, and I saw no arms in the whole building. There is not a room in it that I don't have access to, and I very frequently go all over it.

Q. What kind of a place is it; is it a store or a place to keep goods or anything of that sort?—A. No, it is a real estate agency and insurance office.

Q. And there were no arms in there for sale or deposit or anything else that you saw?—A. I saw no arms whatever.

Q. Did you see people going in during the row and coming out, and arming themselves?—A. That is positively untrue, because Mr. Dance stood there in the door, and there was only one person I think went into the door at all, and that was Walter Withers.

Q. That is a colored man?—A. That is Walter Withers, a policeman, who was trying to flee through that way. I did not see anybody go there.

Q. During that row did you see any colored men between the wall and Woolfolk's house?—A. I think Withers was.

Q. Did you see Glass?—A. I would not have known him at that time; I do not know whether I saw him or not; cannot answer that question.

Q. Did you see any other colored men besides Withers?—A. I do not think I did. I think probably there might have been some who went through that office, and escaped out of the back door, and I think they did. I think some of them did escape through that back way, but I am positive that there were no arms in there except the gun which Dance held in his hands at the door; there might have been some concealed on the persons of parties, clerks of the establishment; I don't know about that.

By the CHAIRMAN :

Q. You have some words and political phrases down there that I would like to understand. What do you mean by a "brindle-tail Coalitionist?"—A. I mean by that that in the absence of knowing what to call a certain political party—in other words, they sail under so many colors, I thought I would give them all of them, so that I would not miss it.

Q. That would include the Republicans and Coalitionists?—A. Yes, sir; I do not mean a straight-out Republican. They had at one time Democratic Readjusters, but of late Republicans, I think, have changed their colors; that is my understanding about it.

Q. Your party was the debt-paying party, was it?—A. The Funders, sir, I believe.

Q. Well, did you hear Squire Taliaferro say what you quote as having been said by him; did you hear him say that?—A. I think not; I did not state that I did; I think not.

Q. You stated simply that he said so; then you say that you heard he said so?—A. I heard he said so, and was advised by my friends that myself and brother were singled out, and had better go armed.

Q. You say he threatened you?—A. Threatened North Carolinians.

Q. And you were from what part of North Carolina?—A. Caswell County.

Q. What town?—A. I was not raised in any town; I was half way between Milton and Yancey.

Q. You got the impression that there was a prejudice against people from North Carolina in Danville from this reported declaration?—A. Well, sir, excuse the egotism in it; there was a prejudice in it because some of the best citizens in the town were from there. There was a prejudice against some of the best citizens.

Q. But you heard that Squire Taliaferro denied saying that?—A. I do not think I ever did.

Q. Did any one threaten your brother?—A. We were constantly told, myself and my brother, that they had singled us out; had to be careful; and I was frequently advised to send my wife to the country.

Q. What position does Squire Taliaferro, have in the party?—A. He was one of those brindle-tailed sort that run about there.

Q. You speak about the Republican party, &c., and the United States officials being an improper set of men; what United States officials were there that were improper men to be leaders?—A. They are improper because they had, in my opinion, no right to hold United States offices and bring the United States authority to govern municipal affairs.

Q. Who were the United States officers that you complain of?—A. Colonel Ralston, president of the council.

Q. Is not Colonel Ralston a respectable citizen?—A. So far as I know, he is.

Q. And a white man?—A. Yes, sir.

Q. And he is a brindle tail. Well, why is that word applied, I want to get what it means. What do you mean by brindle tail?—A. I do not know sir, what I mean exactly, by it. In the absence of any other term that would suit them as well, I used that.

Q. It was a term of reproach applied by all Democrats to their opponents?—A. I do not know that I ever used it before in my life.

Q. Then it was not used?—A. No, sir.

Q. I understood you to say that it was?—A. I think you are mistaken; I do not think I said it was used.

Q. If you say you did not, I will take your word for it, you are the one who is under oath?—A. I do not think I did, sir.

Q. I thought you applied this as a party term?—A. It was my own manufacture except I saw it used in California once, by old Father Evans, in his paper.

Q. Did not the application of such phrases to a large party that was for a long time in the majority in the State of Virginia tend to show that you yourself were very extreme in your opinions?—A. I think not. I simply applied that name because the party sails under so many colors that I really did not know what name to call them, and I therefore called them that in my vocabulary.

Q. Would you think it polite to apply these harsh words to the Democratic party because they change their opinions occasionally, and that they have done this and that; do you think that is exactly right?—A. They would have the same right to it. I do not think it would be wrong. We have been called some very hard names; I was called a worse name than that.

Q. If you hear a term applied to the Democratic party intended to reproach them you would think the person who applied it was a very bitter partisan.—A. I do not know that I would always think so, because in politics now they generally use a great many harsh things; accuse a man of stealing, even.

Q. I will ask you, as to Mr. Ralston, is he not a respectable gentleman?—A. I know nothing against his character.

Q. And Mr. Woltz.—A. I think he is a gentleman.

Q. Who are these leaders you wanted to have in the front line in case of firing?—A. I cannot especially say; Mr. Sims, perhaps.

Q. Well, don't you know that what Mr. Sims said was in reply to an extraordinary tract?—A. I did, of which I was one of the signers.

Q. Don't you regard that tract as a violent political document; an arraignment of a whole class of people?—A. I do not; I regard every word uttered in there as true from beginning to end.

Q. Who wrote that pamphlet?—A. I really do not know; the Democratic party is responsible for it.

Q. Does not that pamphlet itself tend to excite and array white men against the black men and to draw the color line, and was not that the

purpose of the pamphlet to draw the color line?—A. Probably it might have been.

Q. Then you think that is all right. It is all right to draw the color line as was done in that pamphlet, to array the white men on one side and the black men on the other?—A. I do not regret that such is the case very much. It would be more fortunate for the colored race if they would divide, but as long as they vote solid the whites are compelled to do so.

Q. How would you prevent them from doing otherwise?—A. From voting solid?

Q. What efforts do you make to induce the negroes to vote the Democratic ticket?—A. By argument and any other fair means.

Q. Do you allow the negro an opportunity to make arguments on the other side?—A. Indeed we do; I have heard many a one speak.

Q. Do you think free discussion prevails or ever did prevail in Danville?—A. I know it.

Q. And yet when Mr. Sims, a candidate for senator, makes a speech denying the allegations contained in a manifesto of the other party you think that is a gross abuse of the liberty of free speech?—A. He did not go on to deny the allegations set forth in that circular, but he got up there—

Q. Did you hear him?—A. I did not.

Q. Then you cannot say?—A. It has been testified by others.

Q. If he had attacked the authoritativeness of that manifesto that you allude to, and not brought in individualities and personalities he would have had a right to do it, but he took them collectively and individually and said that they signed what was not true?—A. That it was a lie, and they were perjurers. I think that was decidedly wrong. I have heard Mr. Sims make a speech on the other side, and he was equally abusive when he was on the other side.

Q. That was much more pleasant, was it not?—A. I rather liked it better, I must confess.

Q. On the whole, then, it was because Mr. Sims had changed his views and was running on the other ticket?—A. It showed that he was an extremist on the other side; I simply brought that out.

Q. Then would you have punished Mr. Sims for his extravagance if he was in the Democratic party?—A. No doubt.

Q. Were you disposed to punish the party on this account?—A. No; but if Mr. Sims had been regarded as the equal of the gentlemen assailed he would most assuredly have been held personally responsible.

Q. Did not you say the origin of this excitement in Danville was Mr. Sims's speech?—A. I said that was the origin; it had a great deal to do with exciting the negroes.

Q. Who prepared this circular to which Mr. Sims was replying?—A. I could not answer that. The circular was brought to me and I read it and signed it. I think it was prepared by the Democratic party.

Q. Who was it addressed to?—A. To the people of Southwest Virginia, I think.

Q. Why did you address it to the people of the Southwest Valley of Virginia?—A. Because we wanted to acquaint them with what a taste we had of negro rule and Coalition rule.

Q. Are there more white people than black people in the Valley?—A. I never visited that section, and I don't really know.

Q. Don't you know, as a citizen, that the great number of the population of the Valley are white people?—A. I am under the impression that probably the majority of them are whites.

Q. Then was not this an appeal to race prejudice, to arraign the races against each other?—A. It was warning them against the most corrupt rule that any people were ever cursed with.

Q. And to arouse the prejudices of race against the party that you were resisting; I suppose that was the purpose?—A. I do not know what the purpose of the originators was exactly; I cannot speak for them.

Q. You stated that you expected that if you had not resisted the colored people there and fired upon them that your wives and sisters would be in danger?—A. I did, sir.

Q. On what ground did you base that opinion?—A. Upon the frequent reports that came to us that on the day of election while the white people and the darkies were fighting down town the negroes would kill the women and children on the outskirts of the town.

Q. And you believed those stories, did you?—A. I thought under the circumstances from the manner in which people had been murdered about there on the streets that probably there was danger of it. I sent my wife to the country in consequence of that.

Q. You were in the Confederate service, were you not?—A. No, sir.

Q. Well, don't you know the fact that the white people of Virginia left their wives, their sisters, their grandmothers, and their children in the custody of these negroes and went to that war, when they were slaves?—A. Then they did not have a lot of people to come down there and incite them to deeds of violence.

Q. Don't you suppose that these negroes at that time knew that one of the issues of the war involved their freedom or slavery?—A. I suppose they did.

Q. Did you ever hear of any killing or murdering of women and children while these negroes had the power to kill them?—A. There were a few instances of that kind, but very few. They behaved well I will admit.

Q. Is it not a fact that the negro race is the most docile of the races of men?—A. But for the fact of bad leaders your assertion would be true.

Q. Who were the leaders that were bad?—A. These brindle-tails I allude to.

Q. Mr. Sims, it seems?—A. Yes, sir.

Q. Who were the other leaders that were going to carry this whole race into barbarism?—A. Mayor Johnson was one.

Q. He is the worst man. When was he elected mayor; is he a native Virginian?—A. He is a North Carolinian I am sorry to say.

Q. He was reared in the South then?—A. Yes, sir.

Q. Was he not a Democrat?—A. He is one of those fellows like those I have just described. You cannot tell what they are.

Q. He was a Democrat, then?—A. No, sir; he did not run on the Democratic ticket.

Q. Didn't he vote the Democratic ticket at the last election?—A. I have no knowledge whatever about that. I do not think he did.

Q. You say he was charged with murder, with a gross murder?—A. Yes, sir.

Q. Was he not tried and acquitted?—A. He was tried by a jury of eight colored men and four white people.

Q. He was tried and acquitted?—A. Yes; not by an impartial jury.

Q. Now don't you think the judgment of even a jury of that kind, of twelve men uniting in a verdict of acquittal, is as good as your judg-

ment?—A. I do not think it is just to have eight of one party and four of another.

Q. Have you not seen hundreds of juries with all white men and no black men?—A. I do not think I have seen a jury since the war that has not had colored men on it.

Q. You have seen plenty that had eight white men on them, have you not?—A. No, sir; this is about the first jury, I think, I have ever saw that was not about equally divided; though I don't know much about court affairs, and don't attend courts.

Q. You think the eight negroes were too strong in their persuasive powers and carried over the four white men?—A. I think probably so.

Q. Don't you think, after all, that the verdict of such a jury is better than your opinion, when you did not hear the evidence? I will ask you if you think these white men were corrupt?—A. The majority of the people who serve—I do not know whether they were bad and corrupt or not.

Q. Well, they came to a conclusion different from what you thought, who never heard the discussion?—A. Yes, sir; they did.

Q. Is that the worst thing you can say of Mr. Johnson?—A. That murder?

Q. Yes, that he killed a man?—A. I do not think I can say anything which is worse.

Q. Now, did he do any worse than was done by the white men who fired upon the negroes upon the day of the massacre?—A. What we did was entirely in self-defense, and Johnson was not.

Q. But a jury said in that particular case that it was in self-defense, and the men who fired at the massacre never got a verdict of a jury in their favor.—A. Mr. Johnson was not tried to be overpowered as we were—two hundred to fifteen.

Q. Was he not attacked by knife and pistol, and was it not man to man?—A. I never heard he was attacked at all.

Q. Well, I do not want to go into the merits of that. You were not present at the trial were you?—A. Mayor Johnson's?

Q. Yes, sir.—A. I heard a portion of the evidence.

Q. And you think because a jury acquitted him it was a very bad jury and he was not properly acquitted?—A. I think it was rather unfair that they should have eight of one party and four of another.

Q. Then he is the leader?—A. He would be the leader if he was only intellectually qualified.

Q. Who are the leaders who lead these people so much astray?—A. I think the revenue officer is one of them.

Q. You are rather opposed to all officers of the United States interfering in elections at all, are you not?—A. I am not. I am opposed for Federal patronage to be used to carry municipal affairs; I do not think that is right.

Q. But this was a State election, as I understand, and you were all upon the same footing?—A. I am speaking of the rule. He was president of the city council.

Q. Was not Mr. Blair, a Democrat, chairman of the council?—A. He was at one time, but he resigned and Mr. Ralston was elected in his place.

Q. When was that?—A. I do not know the exact date.

Q. Now I want to know what these leaders did, because I would like to know what these leaders have done to lead these poor negroes astray; please answer that question?—A. Answer what?

Q. In what respect did these leaders lead the colored people astray?

You have only been able to give us the names of two you complain of.—

A. They were trying to array them against the best friends they had.

Q. That is the white Democrats. Well, did you not seek to array the white man against the black by your circular letter? Was it right for you to do that?—A. I do not think that circular could be construed in the forcible manner in which you put it. That circular is not against race or color alone; it is against Coalition rule.

Q. Now is not the substance of the whole controversy that you white people in Virginia—Danville, confine it to Danville—are determined that the negroes shall not enjoy their right to their vote and their right to the equal protection of the law?—A. Please put that question again; I did not get the first part of it.

Q. I will ask you if at the bottom of it all is not the strong prejudice of the white Democrats of Danville against the negro exercising his right to vote?—A. I do not think any such sentiment prevails, whatever.

Q. You are perfectly willing to let a negro vote just as he pleases and to talk as he pleases?—A. I am.

Q. And to discuss public questions?—A. I am.

Q. And has he done anything more than that?—A. He has threatened the lives of the women and children of our city, sir.

Q. That is, some loafers have threatened the lives of women and children, but did you ever hear any one do it? Are there not good decent people there among the colored people?—A. Some splendid ones.

Q. Well, you hold them responsible for what every blackguard says?—A. We do not hold them responsible; we feel sorry for their ignorance and attribute it all to their bad leaders. We do not hold them responsible. We feel their leaders are responsible.

Q. Bad leaders, and yet you are only able to name two bad leaders in Danville?—A. I could name several.

Q. I would like to know who they are and what they have done. Name some others, if you please.—A. Well, I might be excused from that on the same ground as Mr. Glass was. I might be in danger if I did name them.

Q. If you are in danger I will not ask you to risk your life, if you say you are in danger.—A. I say I might be in danger.

Q. But are you in danger?—A. I do not think I am very much in danger, yet a great many of my friends have warned me to be careful and not expose myself at night.

Q. Is not the danger that they feared for you growing out of the incidents of the 3d of November?—A. I told you this morning in my testimony that they had made threats prior to that occurrence.

Q. Well, let us go back to the question again. Suppose three negroes had attacked a party of white men in the same circumstances would not the negroes have been in danger, and would not they have had reasonable grounds to fear danger?—A. They never would have feared danger. They could not fear white men attacking them at night, they would do it face to face.

Q. Don't you suppose a mob would have arrested three black men under these circumstances and hung them to a lamp-post within half an hour?—A. Well, sir; I will ask you a question: Judge Blackwell was within 15 feet, judge of the corporation, why did not he cause an arrest to be made?

Q. That I cannot say?—A. Neither can I.

Q. If any peace officer was there and did not do that—A. He was

a peace officer, and within a few steps of the affair and could have stopped it if he had come out.

Q. I will ask you whether in a somewhat similar case where three black men assailed and perhaps killed a white man a movement was not made to kill them, hang them, and whether the governor was not compelled to call out two companies of militia to prevent it?—A. I know nothing of that affair of my own personal knowledge; I was absent in Western North Carolina at the time of the occurrence.

By Mr. LAPHAM:

Q. You knew nothing of the insult to Noel, did you, personally?—A. At what time.

Q. At any time?—A. I did not hear the insult at all.

Q. You say you knew nothing of it?—A. Not of my own actual knowledge I did not hear it or see it.

Q. All you knew about it was what Noel told you?—A. Exactly.

Q. Now, did you think it necessary for you and Taylor to carry revolvers there to see fair play between these two men?—A. I had my revolver in my pocket at the time.

Q. Yes; did you think it was right to go there to protect Noel in the fight with a colored man?—A. I thought and in fact knew that if he was not protected he would be overpowered.

Q. Did you think it was right for you and Taylor to go there for the purpose of seeing that fight and to protect Noel if necessary?—A. I did think it was right.

Q. That is your opinion of the condition of affairs there that two friends have a right to go with revolvers for the purpose of seeing a fair fight between any other friend and a colored man?—A. At that time that was the condition of affairs there.

Q. And well knowing that you went there with the design of doing whatever was necessary to protect Noel?—A. From mob violence, I did.

Q. You apprehended mob violence, did you?—A. I had nothing to apprehend; but, then, they had been making threats for some time previously, and Mr. Sims' speech was calculated to excite them to that end.

Q. It was not this insult to Noel, then; it was the speech that Sims had made you went there to revenge; is that it?—A. No, I did not; I did not say that.

Q. Were you excited any when you went there?—A. I guess I was.

Q. You know you were, don't you?—A. Excited?

Q. Yes; you know you went there in a state of excitement?—A. I guess I did, sir.

Q. You left your post of duty up in the hall, and went out at Noel's request for the purpose of witnessing this affray between him and Lawson?—A. Yes; that is what I went with him for.

Q. There were three of you, wasn't there?—A. Yes, sir.

Q. Well, that constitutes a mob, doesn't it?—A. I do not know.

Q. If three men go armed, with violent intentions, that is a mob, isn't it?—A. What would you consider the crowd that was coming down the street to meet us?

Q. I am not on the stand, and you are. Don't you know that three men going with purposes of violence, armed for that purpose, constitutes a mob in the State of Virginia?—A. I did not know it at the time, and don't know it now, except from what you say. If you say that is true I suppose it is. I am sorry to say I know very little of the law in the State of Virginia; have not been there very long.

By Mr. VANCE.

Q. Mr. Sherman put several supposititious cases to you; among others he said that no jury had passed upon your conduct whilst a jury had passed upon Mayor Johnson's killing. Has there not a jury passed upon it?—A. Most assuredly, sir, and complimented the action.

Q. The grand jury?—A. The grand jury, and complimented the action of the parties that were present, and on that jury was a negro who had run at one time for the senate against Major Hurt; an intelligent negro, the most intelligent, I reckon, in the town, and certainly the wealthiest negro in the place; he was on that jury.

Q. Mr. Sherman asked you if you did not think that the opinion of the jury in the Johnson case, who heard the evidence, was better than yours, who did not hear it; do not you think that the grand jury of the city of Danville, who heard the evidence and passed upon it, were better judges than Mr. Sherman, who did not?—A. I do.

Q. Well, that much is a set-off; now in relation to the dangers that the community feared there from the people about which you have been asked, was not there apprehension of secret burnings of houses, &c.?—

A. Apprehensions?

Q. Yes.—A. There were indeed strong apprehensions.

Q. Is not it the sentiment of the people of Danville and of the South generally, as far as you know, that if not excited to these things the colored people will do no harm and they are tractable and kind?—A. That is our opinion.

Q. But that under the influence of white men who keep hid they can be made to be very dangerous?—A. That is the true condition of affairs; we have no animosity toward the negroes.

Q. Now in old times, when these men did not meet the colored men of Danville, had there been any trouble there?—A. No, sir.

Q. Is not the town a flourishing town, where all classes work together in making money and building up the town?—A. Yes, sir.

Q. There is a good feeling or has been until recently, hasn't there?—A. Yes, sir.

Q. Such has been my information; you say that is so?—A. Yes, sir.

Q. And you are obliged to attribute the changed conduct of the negroes to the leaders of the party?—A. To bad leaders, yes, sir; in fact, in managing our servants at home we find it very difficult, and one of them went so far as to tell us that things had undergone quite a change of late.

Q. You mean your domestics inside of the house?—A. Which went to prove that there was a change in them.

Q. The object of this circular, as you understood, was an appeal to the people of Virginia, especially the white people, for help against this rule?—A. Yes, sir; against the worst rule any people were ever cursed with.

Q. If that was designed and calculated to array the white people against the colored people it was nothing more than had already been done, was it?—A. By the other side; yes, sir.

Q. I will ask you if it is safe for a colored man to be a Democrat?—A. Senator Vance, certainly I, having even as much nerve as Mr. Sherman seems to think I have got, I, as a colored man, could not be induced to be a Democrat under any circumstances.

Q. Why?—A. I would be afraid of being killed. In fact, I know that colored men in Danville are in danger when they are Democrats.

Q. Don't they ostracize each other?—A. Ostracize; their wives threaten

to leave them if they vote with the white people. They have got political organizations for every woman, called by the women the lodge, and they tend to keep the men straight, and a Democratic negro is no more safe in Danville than I would be among the Indians.

Q. You say, then, it is not safe for a colored man to be a Democrat in the town of Danville?—A. I do positively assert that fact.

Q. I ask you if white leaders of the party do not inculcate that sentiment, that they must not permit their own men to turn against their race?—A. Why certainly they do. In regard to its being safe for a Republican in our place, there is a Republican on my street, Mr. Wood, who seems to be as safe and socially liked on our street as any one. He is a Republican, though not a brindle-tail; they like him very much.

Q. Now I will ask you if the same ostracism or dislike is exerted by the Democrats toward the white people who turned against their race?—A. Not to the extent it is by the negro race.

Q. Don't cut him off; threaten him with violence, and array his wife against him so he cannot get lodging at home?—A. No, sir.

Q. Don't do that?—A. No, sir; I never heard of their being refused lodgings on that account.

By the CHAIRMAN:

Q. How many persons compose a grand jury in Virginia?—A. Twelve, I think.

Q. I will ask you whether this grand jury you refer to was not composed of but seven?—A. What grand jury do you refer to?

Q. The one that found there was no offense committed. I ask you if it was not composed of but seven persons?—A. I really do not know.

Q. I ask you if the following persons were not on the grand jury and also signed the report of the committee of forty: John G. Friend, J. L. Tyack, and George C. Ayres. I will ask you if they were not on the grand jury?—A. I recollect Mr. Ayres' name, foreman of the grand jury.

Q. Look at these names [handing witness a report] and probably you will recollect them; they are citizens. I will ask you if they are the names of the persons on the grand jury and to designate the colored man?—A. Preston Watkins is an influential colored man and a strong republican.

Q. Do you find the names of Friend, Tyack, and Ayres among those?—A. [Examining report.] Yes, sir; they are here.

Q. These three then were members of the committee of forty and had previously acted upon that subject?—A. They were.

Q. So that the grand jury was composed of seven, and three of these, among them the chairman, were members of the committee of forty that had already reported on this subject, and the other was a colored man whom you spoke of?—A. I do not know who this grand jury was drawn by; I don't know anything about the laws of Virginia.

Q. There is another matter I wish to call attention to. I see in an advertisement shown me that immediately after the riot there was advertised by Tyack, this same Tyack, shot-guns, pistols, &c., powder, Hazard powder, &c., for sale; is that the same Mr. Tyack, J. L. Tyack?—A. I never saw any such advertisement.

Q. Tyack, Doe & Co., is that the firm?—A. His advertisement, I guess, was previous to the riot, and I do not know that I ever saw this advertisement before.

Q. Did you ever see that published in the paper there? Just read that if you please. [Handing paper to witness.]—A. I will.

The witness read as follows :

[The Daily Register, Saturday, November 24, 1883.]

NOTICE.—Individuals and firms *borrowed* GUNS and PISTOLS of us during the evening of the riot. Some of them have failed to return them, and it was impossible in the rush for fire-arms to take a memorandum of the names of all the parties. We call upon our friends to refresh their memories and examine their premises, and if they should find any property of the kind here advertised *not returned or properly accounted for* to attend to the matter at once.

TYACK, DOE & CO.

Nov. 23-3t.

Q. This appeared in the paper after the riot?—A. I think I saw that at the time.

Q. Was that after the riot or before?—A. Those arms were borrowed; Mr. Johnson, mayor of the town, deputed my brother to take charge of two hundred men.

Q. Was that after the riot?—A. After the riot; he did it himself in my presence; I heard him tell him to get two hundred men to protect the town to the best of his ability, and I suppose this has reference to that; they borrowed arms.

Q. Each man got arms for himself?—A. A man would not go out without arms to protect himself, and they borrowed them of Mr. Tyack.

CHARLES D. NOEL sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In the town of Danville.

Q. How long have you lived there?—A. I have lived there for the last five years, except about eight months when I was in the State of North Carolina.

Q. When did you first see Lawson, the man whose name has been mentioned?—A. On the 3d day of November.

Q. Had you ever seen him before that?—A. I never had to my knowledge; if I had, I didn't know him.

Q. You had never any controversy with him, had you? I will ask you the question, because I want to call your attention to the fact in case we are mistaken, whether you did not see him the night before?—A. No, sir; I did not.

Q. Nowhere?—A. Nowhere at all, sir.

Q. You had no previous controversy or quarrel with him?—A. None whatever.

Q. Or words?—A. None whatever.

Q. You did not know him by name?—A. I did not.

Q. Now state when you first saw him on the 3d of November?—A. After dinner. It was about half past 1 o'clock before I had had my dinner; that was during dinner hour for our town, as all our business men go to dinner at 1 o'clock.

Q. What occurred, when, and where?—A. I was passing down Main street very rapidly, and I passed two darkies; didn't know who they were, and after I had passed I came very near being tripped by one of the darkies whom I had passed by knocking my left foot; he came very near knocking my left foot from under me, and I thought that I was at least far enough from him not to be trod on by them, and I turned and asked, "What did you do that for?" or some such language as that, and he said, "I was only getting out of the way of a lady, and a white lady at that," in a very insulting tone. I says, "That's all right," and

passed on about three paces, and the negro who was with him, this other darky who was with him, remarked it didn't make a damned bit of difference whether it was all right or not; that I couldn't do anything about it, and I turned to him and made some remark. I don't remember exactly what it was.

Q. Before you go any further, what did he mean by the first expression, "I am only getting out of the way of a lady, and a white lady at that;" did that refer to the charges in the circular of the Democrats that they would not give the way to the ladies?—A. Really I cannot tell you what it referred to.

Q. Was there a lady there present?—A. I didn't see. I was in a big hurry going down street.

Q. So far as you know, was that true that he gave way to a lady, and consequently had to crowd you?—A. I really cannot say; but I say I supposed it was true and passed on, and then some other man said it didn't make a damned bit of difference.

Q. That was the insult that you took offense at?—A. That was the negro that was with him; that is what I took offense at.

Q. What was there so terrible about that; you thought that that was an insult to you?—A. I took it as an insult.

Q. To you on account of your race, caste; you, a white man; you thought it a very ill-bred remark?—A. I did.

Q. And you took offense at that?—A. I did.

Q. Did you think he intended to insult you?—A. I did; his manner was more insulting than his language.

Q. He had no grudge against you, had he?—A. I suppose not.

Q. And had never seen you, probably?—A. Perhaps he had seen me. I had never seen him and didn't know him.

Q. And you took offense at that?—A. I did.

Q. What occurred then?—A. I turned and made some remark to him, I don't remember exactly what it was, and he said, I don't remember exactly what he said, but he said something; I don't remember exactly what he said and I don't know what it was, and I struck him and when I struck him both negroes struck me and pushed me from the sidewalk, pushed me into the gutter; in our streets the gutter is much lower than the sidewalk.

Q. Did he throw you down?—A. No, sir; he pushed me from the pavement, and when I recovered I started after them; they both made motion as if to draw a pistol, and I am not certain whether I felt to see whether I had a pistol or not, but I didn't have any.

Q. Did you have a pistol?—A. No, sir.

Q. Were you in the habit of carrying a pistol?—A. No, sir; I bought one the day before.

Q. What was the cause of your buying a pistol the day before?—A. I wanted a pistol, and besides I had heard, or rather it was rumored around town, that there was going to be violence on the part of the negroes on the day of election.

Q. Then you anticipated violence at the polls on the day of the election?—A. I really didn't take any particular notice of it, but I wanted to be able to defend myself.

Q. Are you old enough to vote?—A. I am twenty-five years old.

Q. You say you anticipated trouble and bought a pistol to defend yourself?—A. I bought the pistol to defend myself.

Q. You belong to the Democratic party?—A. I do.

Q. You had the pistol on at this time, had you?—A. I had not.

Q. Where do you live?—A. I live at my place of business.

Q. Where is your place of business?—A. I keep books for Mr. Jordan, commission merchant, tobacco.

Q. Where did you buy the pistol?—A. At Valentine's.

Q. He is a hardware man in that town, is he?—A. He is an auctioneer; keeps a general business place.

Q. Had he a large stock?—A. I did not take an inventory, sir, of his stock.

Q. Were there many pistols there?—A. Really, I could not tell. I only saw one and I purchased that.

Q. What occurred next; they pushed you off the pavement, as I understand?—A. Yes, sir; and a crowd gathered around.

Q. You, however, struck him first?—A. I struck him first; yes, sir.

Q. Didn't expect when you struck him to be struck back?—A. I did, as a natural consequence. When you strike a man you must expect to be struck back.

Q. Were you disappointed?—A. I was not, but I was rather disappointed at being struck by two men.

Q. Then your objection was not so much being struck by one as by two; still, you were not knocked down or overthrown?—A. I was not.

Q. Then you got up?—A. Yes; and the crowd gathered around, about twenty, and I saw it was no place for me.

Q. Where did you go next?—A. I went down to a dry goods store, on Main street, and purchased a buggy robe, as I expected to go to the country that afternoon.

Q. Did you get your pistol?—A. I did not.

Q. When did you get your pistol?—A. I didn't get any pistol.

Q. Didn't you have any pistol?—A. In the evening I had a pistol.

Q. Didn't you have a pistol during the riot?—A. Yes, sir; I had it in my hand.

Q. Where did you get the pistol from?—A. From my place of business.

Q. You went down from this preliminary fight and got your pistol at your place of business?—A. I went down to the dry goods store, purchased a buggy robe, went up home first to get my dinner, came down the street and got my pistol to go to the country, and was in my buggy going up street.

Q. Then where did you go from there?—A. I stopped at the opera house.

Q. What did you tell them there?—A. At first I went in the lower room, which is on a level with the stage where the meeting was being held, the Democratic meeting. When I got there I noticed that my friend Mr. Lea and Mr. Taylor were in the gallery; there were very few people in the gallery; as I went around up there, Mr. Lea perhaps beckoned to me. He said, "What about the difficulty you had before dinner?" I said, "It is a trifling affair. It don't make any difference now. I am going to the country, am anxious to go, and wouldn't have any difficulty on this day, of course, as there are a great many darkies on the street, and it's best we should not do anything about it at all. He bid me good-bye and I went on, got in my buggy, and started up the street, and as I got in front of the Arlington Hotel—I was passing in a rapid trot—and heard some one hail me, saying, "By God, here I am," in a loud voice. At first I could not see anybody; they hailed me again, didn't call my name or anything of the kind, but I turned around and recognized the negro I had a difficulty with in the morning.

Q. Who pushed you off the pavement?—A. Yes, sir; when I turned and looked him in the face he yelled in the same manner. I then drove

back down to the opera house, and as I was passing back I glanced back to see if he was coming on. I noticed he was, and as he passed down the street he would touch up other colored men standing on the sidewalk marching on down with him. I went up in the gallery.

Q. All that he said was, "here I am."—A. "By God, here I am," as if to defy me. That is the way I took it.

Q. That is all he said, "here I am, by God."—A. Yes, if that is any satisfaction to you, that is all he said.

Q. I want to know how much it takes to disturb your equanimity.—

A. I went up to the opera house and told Mr. Lea that this rascal had insulted me again, and I wanted him to come and see fair play, and he and Mr. Taylor got up and walked down with me. I gave my horse to a colored boy standing at the opera house door, and as we passed up, I suppose three doors above the opera house in front of Averett's shoe store, I noticed this negro had stopped in front of Woolfolk & Blair's office with a congregation of others.

Q. Whom did you speak to in the opera house?—A. Taylor and Lea.

Q. Did you know that they were armed?—A. I did not.

Q. Were you then armed?—A. I decline to answer that question.

Q. You have already stated that you had been home to get your arms?—A. Yes, sir, I went down to the warehouse and got my arms.

Q. You have already stated that you got your pistol before?—A. I don't remember, but I did get my pistol when I went down home.

Q. I will ask you now, didn't you believe that these men were armed at the time?—A. I had no right to believe it.

Q. Didn't you know they were in the habit of carrying arms?—A. I did not. In other words—

Q. Hadn't you agreed not to fight with nothing but your fists?—A. In coming up the street, just as I was going on to tell you, I got in front of White's store, and turned and remarked to Mr. Lea "you all come. I am not going to attack them with anything but fists. All I want is fair play." I told them that in the opera house. When we got there, I remarked to the negro, "what did you mean by hailing me on the street," and he stammered out something as if to retract, but I collared him and struck him, and at the same time he struck me.

Q. You did not hear what he was saying?—A. I think his words were, "I didn't holler at you."

Q. You collared him then?—A. I struck him first, and then collared him. We both had each other on the collar.

Q. Then you didn't want an apology?—A. He had apologized to me once, and one apology in such a matter as that is enough.

Q. You did not wait for his apology; you did not wait to hear what he had to say?—A. I did not accept it, in other words.

Q. You didn't even know what it was?—A. Yes, sir; I did know what it was.

Q. What was it?—A. He said, "I didn't holler at you."

Q. He denied that he was halloing. Well, then you had the fight?—A. We had the fight.

Q. Were you hurt?—A. I was not.

Q. Were you hit?—A. He struck me somewhere about the arm.

Q. Were you bloody?—A. I had blood on my hands and clothes.

Q. Were you not bloody on your clothes or face?—A. May be I had a streak of blood on my face. I do not know where it came from.

Q. Whose blood was it?—A. I do not know.

Q. Your blood was not drawn in the fight?—A. It was not.

Q. How many times did you strike him?—A. Really, I could not tell.

Q. What occurred then between Mr. Taylor and the negro man?—A. While I was fighting this nigger Mr. Lea was standing on my right, perhaps, or rather up the street, and I was standing right in front of Ruffin & Woolfolk's insurance office, and Mr. Lea had a pistol in his hand, holding it up so [indicating]. He told them to stand back; it was a fair fight. At this time a nigger—I don't know who he was—I saw him grab Mr. Lea's pistol in his hand and they had a scuffle, and in some way both of them were thrown into the gutter.

Q. Well, they didn't both fall down?—A. Lea, I know, was down at one time, and he said something, I don't know whether he called on anybody or not; I was right busily engaged, as you will understand, and Taylor, may be, struck at the nigger with a stick. I am not certain whether he struck him or not, but the nigger fell, and he and Mr. Lea were on the ground at the same time.

Q. Taylor struck the negro down, then?—A. Struck the nigger as he fell.

Q. And then the shot was fired?—A. The shot was fired while they both had hold of the pistol. Of course I cannot say whether it was accidental or intentional on Mr. Lea's part to shoot.

Q. You don't know that?—A. I don't know that that took place on my right; I was engaged in front.

Q. Did the pistol shot take effect on any one?—A. I do not know.

Q. Cannot you tell whether the man was hit?—A. I do not know. I do not suppose it possibly could have been done, as they both had hold of the pistol.

Q. When you went to get your pistol, you say you intended to go to the country?—A. I did.

Q. Did you want the pistol in the country?—A. Yes, sir; I usually took it with me. I was in the habit of visiting the country.

Q. Did not you contemplate using it on that day in a controversy with Lawson?—A. Not in the least.

Q. What did you want it in the country for?—A. Well, I had friends who know that I go to the country, and usually practice while out in the country shooting at blacks.

Q. What do you mean; do you mean that merely as a joke, or merely as an extravagance?—A. Practicing at black marks is what we mean.

Q. You practiced shooting at a mark. Then you did not contemplate when you got the pistol the row that occurred?—A. Not in the least.

Q. What did you do after you had, as you say, beaten Lawson? What did you do then?—A. My friends came around and some one was asking me how was I hurt, or something of that kind. Capt. Joel Oliver came up and, if I remember right, he says, "How are you hurt?" I says, "I am not hurt at all;" says I, "Be quiet." He says, "All right." I turned to go and he went into the crowd and says, "Now, you all go off." He says, "Who was it you had the difficulty with?" I remarked to him, "I do not know." And about that time several of my friends came up and said, "Why, you are as bloody as you can be; come on over here; Joel Oliver is excited to death by reason of your being bloody," and my friends, generally, told me to go away; that my being bloody would create excitement, and it would be best if I should not be about; and so I went across the street to a store to wash my hands.

Q. When did you come out again?—A. While I was up on the second floor of the store, in an office on the second floor of the store, and washing my hands, I heard the report of the shooting and ran to the window,

and when I got to the window the darkies were going one way and the whites were on the sidewalk. I then ran down the steps, and as I ran into the front door of this store some one ran over me and knocked me out of the way, and when I recovered Mr. J. G. Miller, sr., I noticed, was locking the door on the inside.

Q. Did you fire your pistol from the house?—A. I did not.

Q. Did you fire your pistol on that occasion?—A. I did not.

Q. I will ask you if you are a member of the Danville Grays?—A. I am.

Q. Are you an officer of that company?—A. Yes, sir.

Q. Did you turn out with the Grays to keep the quiet?—A. I did.

Q. I will ask you if you were placed on duty?—A. I was placed on duty as a guard, ordered out by the city sergeant.

Q. Then the peace and safety of your good town was placed partly under your command?—A. Certainly it was, and I endeavored to preserve it to the best of my ability.

Q. And you do not feel conscious then that you are the cause of the death of these men?—A. I do not.

Q. You think that man that said, "By God, I am here;" you think he is the man?—A. I have no right to think anything about it; you can think as you like.

By Mr. VANCE:

Q. Did you see any colored men have weapons?—A. Really, sir, I cannot say whether I did or not. I ran to the window, but I could not tell; the crowd was very much mixed and I could not tell which it was. I saw pistols in the hands of white men after the shooting was over.

Q. I was interrupted for a moment, but I understood you said that after the fight with fists between you and Lawson that you retired to the store to wash yourself?—A. Yes, sir.

Q. And the firing took place while you were washing?—A. Yes, sir.

Q. Did you go out on the street again?—A. I did not until the firing was all over. I went to go out of the house and I was knocked back, and when I recovered myself the door was closed.

Q. With you inside?—A. With me inside.

Q. You did not fire your pistol then on anybody?—A. I did not.

Q. Who knew that you were going to attack that insolent negro man beside your two friends that you had with you?—A. No one else that I know of. The Supreme Being might have known, but I suppose no one else did.

Q. I mean who of the people of Danville?—A. No one at all.

Q. There was no design on your part or on the part of others to produce that row?—A. Anything of that kind was entirely foreign to my nature.

Q. He had insulted you twice?—A. He had insulted me twice.

Q. And you wanted to take a little revenge on him?—A. Yes, sir.

Q. And you did so with your fists without using any other weapons?—A. Yes, sir.

Q. And your friends went along to see fair play?—A. My friends went along to keep the others off. I remarked to them when we were within about thirty paces of where they had stopped that I would not use anything but my fists.

Q. Was the presence of your friends necessary; would the other negroes have interfered between you and Lawson?—A. You can judge that best yourself by the difficulty in the morning, when they both attacked me.

Q. It is your opinion that they would have interfered if your friends had not kept them back?—A. It is.

Q. What do you know about the firing of the pistol in the hands of Lea?—A. All I know is that I recognized, or rather saw, Mr. Lea and a nigger both on the ground at once.

Q. Scuffling?—A. Scuffling, and that they both had hold of the pistol and it was fired.

Q. While you were present, before you had gone, were Mr. Booth, Mr. Corbin, Captain Oliver and others trying to get the colored people to disperse?—A. Captain Oliver was trying to get them to go off when I left to wash my hands, and Mr. Booth, I think, had just come up about the time that I left.

By Mr. LAPHAM:

Q. When you invited Mr. Taylor and Mr. Lea to go from the opera house out with you you did not know that any collection of colored men were there, did you?—A. I did; I saw them coming down the street; saw this nigger first gathering his crowd; saw this nigger touching them up.

Q. How did you know that it was his crowd?—A. Because they were as black as ink. That crowd always go by themselves.

Q. You call them niggers?—A. I do, and it is very appropriate.

Q. You regard it so. Then you were really going to take your revolver out in the country to practice firing at a mark?—A. Yes, sir; that was my intention.

Q. Have you ever done it before?—A. Yes, sir; I have done it before and have since.

Q. You only had it two days?—A. I had a friend whom I roomed with who owned one. I didn't own one before. I never owned one before.

Q. You practiced with another white man then. When was that firing at a mark with a pistol?—A. Previous to that.

Q. How long before?—A. Really I cannot tell you; oftentimes.

Q. You had become an expert shot you thought, hadn't you?—A. Well, in case of emergency, I might manage to hit the side of a house.

Q. Did you ever shoot at a negro's gate-post?—A. I never did.

Q. You have heard of such occurrences, haven't you?—A. I never have.

Q. Who was the man you practiced with?—A. His name was Daily.

Q. Where does he live?—A. In the town of Danville.

Q. What is his business?—A. Hardware clerk, with the firm of Tyack, Doe & Co.

Q. Where you bought your revolver?—A. No, sir.

Q. Where did you buy yours?—A. At Valentine's.

Q. Which kept the largest stock?—A. Tyack, Doe & Co. keep a hardware stock exclusively, and Valentine keeps an auction house and general merchandise.

Q. But which keeps the largest stock of pistols you cannot state?—A. No, sir; I cannot.

Q. How long had you known of their keeping them for sale?—A. I had known it that day, because I met Mr. Valentine and asked him if he had any pistols, and he told me that he had. I didn't know before that he had pistols at all.

Q. You were going out in the country alone to practice on this occasion?—A. I was.

Q. You are sure it was not the insult to you that caused you to get your pistol?—A. That I went to the warehouse to get it; yes, sir.

Q. Did you go to the country?—A. I did not.

Q. Why not?—A. Because my captain called me to duty; told me to fall in as a member of the company.

Q. You went at once on duty?—A. I did.

Q. Did you have your revolver there or have some other weapon?—A. I had my revolver in my coat pocket here [indicating], and also a musket and a sword, perhaps.

Q. A loaded musket?—A. The muskets were not loaded.

Q. They had bayonets on?—A. They did not; the bayonets were in the scabbards.

Q. Had you the means of loading?—A. I had.

Q. Do you know where the cartridges were procured?—A. Really, I cannot tell you. The captain furnishes them; we have them in the armory.

Q. How many do you keep there?—A. We only keep a very small quantity.

Q. Enough to keep the peace for one night, I suppose? How many guns do you have there?—A. We have fifty guns.

Q. How many members of your company?—A. We have now one hundred and one members.

Q. So you are sometimes half of you without guns?—A. Yes, sir.

Q. Don't they carry revolvers?—A. I really cannot tell.

Q. You don't know anything about that?—A. I don't know anything about that.

Q. How many members did you have at the time of this occurrence?—A. We had about sixty-five.

Q. Who is your commissary?—A. Our commissary is H. A. Ferguson.

Q. Was then?—A. Yes, sir.

Q. He can tell more about the arms and ammunition, I suppose, than you can?—A. Yes, sir.

Q. How long had your company been in existence?—A. That company has been in existence since before the war, "the Danville Grays."

Q. You didn't belong to it then?—A. Of course I didn't.

Q. How long did you say you had been in Danville?—A. Five years.

Q. Where did you come from?—A. I was in the county of Pittsylvania; the same county in which Danville is situated.

Q. You have been serving then five years as clerk in a store?—A. I have been serving as a clerk in a tobacco warehouse.

Q. And was in that service up to the time this occurred?—A. Certainly eight months of the time I was in business in the State of North Carolina.

CHARLES G. FREEMAN sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. Some twenty-odd years.

Q. What is your occupation?—A. I have been a merchant there, and farming, and a policeman awhile.

Q. Were you a member of the Danville police on the 3rd of November?—A. Yes, sir.

Q. What are your politics?—A. I am a Democrat.

Q. If you saw any of this occurrence, I would like to have you go on

and state just what you saw ; give as accurate a recollection of it as you can.—A. I was on duty that day and I went to the court-house at 3 o'clock court. I saw some parties running down Main street, and as I came out from the court-house I mentioned to the chief of police that I would go down on my beat. He said, "all right, go ahead." When I got out in front of the court-house you could see them running down. I was right at the head of Union street ; right there at the court-house ; I could see parties running down, men and boys, and I met a little boy who says, "where is all the police." Says I, "aint there any on Main street?" says he, "they are fighting over there like tigers ;" says he, "they want you over there ;" says I, "where are the police on that beat?" he says, "they could not find him." I told him to go on and tell Mr. Hall, the chief of police at that time, to come on with the police out there as quickly as they could get there. I blew my whistle and went on through the market, and went on up where the crowd was assembled. When I got up there the colored people were all out in the middle of the street like facing the sidewalk and the whites were on the sidewalk.

Q. What was that crowd of colored people composed of?—A. How large?

Q. No, I asked for the character of the crowd ; whether there were men, women, and children?—A. There were no women ; I didn't see any women.

Q. Men and boys?—A. Yes, sir.

Q. About how many should you say?—A. Between two and three hundred, I should say, of colored.

Q. How many whites?—A. Some forty or fifty whites, I reckon, on the sidewalk, as nigh as I can guess. I couldn't say positively, but that is as nigh as I can guess.

Q. That is the state of things when you reached the spot?—A. Yes, sir, pretty much.

Q. Now, what occurred?—A. The two colored police were standing out in the crowd with the colored people. I walked up the gutter and called to Walter Withers and Bob Adams, and said, "Why don't you all disperse this crowd or help to do it." Bob Adams, the other colored police, was on Main street that day ; that was his beat. He says, "Mr. Freeman, we can't do nothing ; we might just as well dart straws against the wind." I walked up and down and tried to prevail upon them, and asked them to disperse, If they did not I was afraid there would be trouble ; and says I, "Now, you all go to your places of business, where you belong." Several of them stepped up to me and said that they did not intend to do it ; that they had been mistreated, and were going to have their rights before they left there. Said I, "Just hold on a little while and before you leave here you will get them"—just that way—and sure enough I had not walked down five steps before they fired.

Q. Fired from where?—A. From both ways. One colored man, I don't know what his name was, had an ivory-handled pistol sticking out of his vest pocket.

Q. How many shots were fired?—A. I declare I don't know how many ; they were fired on both sides ; a cross-fire.

Q. Did you see any of the colored men except that one have a pistol?—A. Oh, yes ; I saw lots of them.

Q. Did you see how many were killed?—A. There was one killed down there on the market ; corner of the market. He fell there, I suppose. There was where they found him.

Q. A white man or colored man?—A. A colored man; and then two others there about the Arlington, corner of Main and Union; somewhere there.

Q. Colored men?—A. Yes, sir. He was not dead when they went to him; they had him taken up and carried off. There were three.

Q. Were there not more than three killed that day?—A. That is all that were killed there. If there were more killed, I don't know it.

Q. Haven't you heard there were more killed?—A. I have heard there were, but it was just talk—rumors.

Q. There is a report that seven were killed, or that seven died?—A. I did not see but three.

Q. Did you say anything to the white people about dispersing?—A. Yes, sir.

Q. What did they say?—A. They said they would disperse if the niggers would.

Q. Didn't they say they would not without?—A. They said they were not going to leave until they left, and the negroes swore they were not going to leave until the whites.

Q. You thought it was a hard place for a policeman?—A. It was a hard place for me.

Q. Can you name any negro you saw with a pistol that day?—A. Yes, sir; David Lewellen, or some such name.

Q. Where does he live?—A. I haven't seen him since that riot. He left that night, and has never been seen since in Danville; he went off on the train; I heard he was in New York.

Q. Did he use his pistol?—A. He run; well, there is a whole lot of them that run.

Q. Did he use his pistol?—A. Yes, he did.

Q. What, when he was running?—A. When he was running he would whirl on his heel and fire at the crowd.

Q. That is, as they fled; that is, they fired back at the whites, and the whites stood their ground; they didn't retire; they kept firing, didn't they?—A. They fired; I don't know who fired the first shot; they were shooting; I don't know which fired the first shot, the whites or the blacks.

Q. Who did you see fire among the whites?—A. I didn't see any particular one of them fire.

Q. Did you not?—A. No, sir.

Q. Can you name any of the whites?—A. They were shooting cross-ways, and I was trying to get out of the way of the shooting as best I could.

Q. You are unable, then, to state who fired first?—A. I am unable to state who fired the first shot.

Q. Although you were right there between?—A. I was right between and I was right below, trying to disperse them, and the whites were up behind me like, right in front of Woolfolk & Blair's office.

Q. Did you see any colored men fire until after they started to run, when they shot back?—A. No, sir; I didn't see any one fire until then, until this crowd ran, then they would whirl and fire.

Q. Well, after they started to run, didn't the whites keep firing at them?—Oh, no; they didn't fire so many times, I don't think.

Q. Well, they fired some, didn't they?—A. Oh, yes; it was a pretty warm time around there for a little while.

Q. How many shots do you think were fired by the whites, about?—A. I could not tell you.

Q. Well, you have some judgment about it?—A. Well, two hundred shots; I would not say positively.

Q. What kind of weapons were they, or didn't you see them?—A. Well, I saw one man with a double-barrel shot-gun; holding it up that way. [Indicating].

Q. Well, he didn't fire the two hundred?—A. Oh, no; but I say I saw that one; I did not know who he was.

Q. You do not know whether he fired?—A. No, sir; I did not see him fire.

Q. Now, the colored people all went away, didn't they?—A. Yes, sir; they got away as quick as they could.

Q. The whites remained?—A. They fought along up towards the Arlington; went up that far.

Q. They followed the colored people?—A. They went on up.

Q. Firing at them as they went along?—A. They went that way; I did not go.

Q. Didn't they fire?—A. Oh, yes.

Q. How far did they follow them?—A. That was all; from Woolfolk & Blair's office up to the Arlington.

Q. How far is that?—A. It is about 50 or 75 yards I reckon; a hundred may be, as near as I can recollect.

Q. Do you know anything about that circular that was issued shortly before election?—A. The circular that was to come and vote?

Q. No; a prior circular to that. Do you know anything about that circular? [Handing a copy of circular entitled "Coalition Rule in Danville" to witness.]—A. [Examining circular.] Well, sir, I know all these people here. I issued some circulars, that is, carried them around the evening before election.

Q. No; I am speaking of this circular.—A. I don't know that I do.

Q. Don't you know that it was largely circulated about there?—A. No, sir.

Q. You say you don't know of the circulation of that a few days before this riot?—A. No, sir; I don't recollect now.

Q. How long had you been a policeman?—A. About fifteen or sixteen months.

Q. You have been removed since the election, haven't you?—A. Oh, yes; I was put off the force the first of January.

Q. What is the population of Danville?—A. It is some 12,000 or 14,000 inhabitants, I think, as nigh as I can say.

Q. And you have been a policeman there about fifteen months?—A. Fourteen or fifteen months.

Q. Have you ever had any occasion to suppress a riot of colored people before?—A. No, sir; not since then.

Q. Not since you have been on duty?—A. No, sir.

Q. You were acquainted with the markets there, were you not?—A. Yes, sir.

Q. Well acquainted with them?—A. Yes, sir.

Q. Who was the health officer?—A. Dr. Irving.

Q. Is he a Democrat, too?—A. I don't know what he is; I don't know what his politics are. I think, however, he is.

Q. Now, I will read you this paragraph from the circular to see if there is any truth in the statement:

The scenes about this important and attractive institution [that is the market, attractive in all cities] will give any person visiting the town a fair idea of the general state of the government under the negro rule. The market, once occupied in all its stalls by polite white gentlemen, with their clean white aprons and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves.

Now, do you say that was the case in Danville during your service as a policeman?—A. No, sir.

Q. That is a little overdrawn, is it not?—A. That is going a little too far.

Q. Did the board of health ever have to interfere with the market, to your knowledge?—A. Not to my knowledge, sir.

Q. During the whole time you were in the service?—A. No, sir.

Q. Now, I will read you this paragraph :

The police court of the town is another scene of perpetual mockery and disgrace. There the most active justice is a young negro named Jones, who first became famous by seducing a girl under promise of marriage, and was only saved from conviction upon indictment by the evidence of his partner in a junk-shop, who swore that he had had criminal intercourse with her before Jones. This court, which, before the negro *regime* came into power, was only open a few hours every morning, is now practically open from morning till night, and nothing but actual observation can convey the least idea of the travesty of its transactions. Malice and partiality, whenever there is a motive, and ignorance, in its absence, are the rules of decision.

Is that a correct statement?—A. Well, there has been some little partiality shown towards different persons.

Q. Well, is that, in its general features, a true statement ; exceptions, of course, occur to all rules ; but is that a fair statement of the condition of things while you were a policeman?—A. Well, there is a portion of it. They do not keep the mayor's court open all the time, but they do from 9 till 3.

Q. There was a necessity to keep it open all day, wasn't there?—A. But I will say that Jones was smarter than some they had on there as justices. I will say that he was about the best judge of law of any magistrate they had.

Q. The colored police justice?—A. That is Jones ; yes, sir.

Q. What are his politics?—A. He is a Coalitionist, of course.

By Mr. VANCE :

Q. It was true that he had that character attributed to him, is it not? There were serious charges made against his character, wasn't there?—A. Yes, sir.

Q. And you say he is the best one of the three?—A. Yes, sir. At the time he was elected he tried to inform himself, and he tried to do his duty as near as an officer could, I think. In fact he got pretty near all the business.

Q. You say the statement of the condition of the market-house was a little overdrawn?—A. Yes, sir ; I think so.

Q. It was, though, very much changed for the worse to what it used to be?—A. Yes, sir ; right smartly changed, but not as badly as that.

Q. It was overdrawn?—A. Yes, sir.

Q. But it was much changed to the worse from what it used to be?—A. Yes, sir.

Q. You say you saw plenty of arms in the hands of colored men that day?—A. I certainly did see plenty of pistols ; some fifteen or twenty.

Q. What is your opinion now, as a man of reasonable firmness, about the necessity of that crowd on the sidewalk defending themselves. Do you think they would have been damaged if they had backed out in any way?—A. Well, I don't know. An officer never talks much, you know, and I never have much to say ; but it looks so ; they came right up ; I just could walk between them.

Q. Had they crowded right up with their backs to the wall of the house?—A. Yes, sir.

Q. Could they have got away?—A. Only by going up or down the street. That is the only way to get away; but I got back in the houses.

Q. You say they proposed to go away if the others would?—A. Yes, sir.

Q. But the negroes refused, and then the white men staid?—A. They staid; they would not go. And the whites said, "Make them disperse and we will disperse;" and the others said, "We aint going to disperse." Joel Oliver was standing by me when I was trying to disperse them. I didn't see the fist fight. Mr. Noel and Mr. Lawson had the fist fight.

Q. Did you hear anybody give the order to fire?—A. No, sir, I didn't hear that.

Q. Was there any other cause for your discharge, of which you are aware, except that you held your appointment under the Readjusters?—

A. I don't know what the cause of it was. I have never heard that there were any charges against me at all.

Q. Don't you believe that to have been the cause?—A. I don't know; I could not say positively whether it was or not.

Q. Is it not a fact that the offices of the State have been taken away from the Readjusters as far as could be?—A. I don't know.

Q. Has Jones been removed?—A. Oh, no; Jones is still holding his office.

Q. Is he an elective officer?—A. Yes, sir; he is elected by the people of the town.

Q. By whom were you appointed?—A. We were elected by the council. The council elects the police officers.

Q. And Jones was elected by the ballots of the people?—A. Yes, sir.

Q. You had the same authority, of course, as a police officer to disperse the whites as you had the blacks?—A. Of course I tried to get them both to disperse.

Q. And when you told the whites to disperse they said they would not go unless the colored men did?—A. They said if the colored men would disperse they would.

Q. You understood that as being the position they took, that they would not disperse unless the colored men did?—A. Oh, yes; colored men came up and said they had been mistreated, and were a going to have their rights.

Q. Now, the whites were not obliged to follow the colored men, and fire on them, were they?—A. No, sir.

Q. Well, they followed them, didn't they?—A. They didn't have far to go; there was a big crowd on both sides.

Q. They pursued them as far as they could until they got away?—A. They left them, and were on the sidewalks.

Q. They didn't keep in line there?—A. Oh, no, sir.

Q. Did I understand you to say in your first statement that the whites pursued the blacks?

Mr. LAPHAM. He said that.

A. I said they were strewn from the Arlington down, pretty much. The whole of Main street was full.

By Mr. VANCE:

Q. Full of what?—A. Colored men, and some forty or fifty white.

Q. I did not understand you to say in your first examination that the whites pursued them?—A. Oh, no; I don't say that.

Q. I thought you didn't say that. The colored men as I understand you to say continued to run?—A. Continued to run and whirled on their heels and fired.

By Mr. LAPHAM:

Q. Didn't the whites continue to fire upon them as they run?—A. The firing didn't last, it didn't look like to me more than a minute or two minutes.

Q. But then they fired after they run. You know by the reports of the pistols, of course? You stated to me that the whites followed, didn't you?—A. No, sir, I didn't. If I did I did not aim to.

T. J. CORBIN sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. North Danville.

Q. How far is that from Danville itself?—A. Just opposite, across the river.

Q. How long have you lived there?—A. About thirty years.

Q. What is your occupation?—A. Leaf-tobacco dealer.

Q. Were you in Danville at the time of this riot?—A. Yes, sir.

Q. What is the first you knew about the violence that day?—A. The first I knew was the fight between Mr. Noel and Hense Lawson. I was going down to the opera house and somebody hallooed fight. I was opposite Nicholas's saloon, and I looked up the street and saw them fighting, and started up to where they were. The colored people began to run there very fast and as I got there Withers, a policeman, and, I think, Adams were there. When I got there Withers asked me to assist him in trying to get the colored people to disperse. They gathered very rapidly and a few whites and myself went out into the street among the colored people and I appealed to them and tried to get them to disperse and go away; did all I could, but I could not do anything with them.

Q. Did you see any one fire?—A. No, sir. I saw shots fired when the firing commenced; it was all over in a minute—well, it was not a minute. When I looked back I saw hands this way [indicating], and pistols seemed to be firing in the air. That was at the commencement, and I thought at the time it was done to try to intimidate the colored people and get them to leave.

Q. I didn't ask that; it was intimidation undoubtedly. Did you hold an office at that time?—A. No, sir.

Q. Were you armed?—A. Yes, sir.

Q. What did you have?—A. I had a pistol. I had been to Richmond to the fair, and had just got back that morning from Richmond, and hadn't been home.

Q. Did you shoot?—A. No, sir; I never drew the pistol at all.

Q. Did you see any white men shoot?—A. I say I saw white hands—I could not tell who it was, but I saw pistols pointing up and firing in the air; but who it was I could not tell, because I was surrounded by colored people.

Q. Did you see any black man with a pistol?—A. I only saw one.

Q. Who was that?—A. I didn't know.

Q. Was it a white-handled pistol, do you remember?—A. I do not.

Q. Did you see him fire?—A. No; I did not. I don't think he fired at all. If he fired I did not know it.

Q. He was right there with the colored people, wasn't he?—A. He was right there with me. I was talking to them trying to keep them quiet.

Q. And he was just surrounded by colored people?—A. Yes, sir; I was among them.

Q. That gave you a good opportunity to see?—A. At the lower part of the street it did; but at the upper part of the street I could not see.

Q. You only saw one man?—A. I only saw one man with a pistol.

By Mr. VANCE:

Q. You didn't see anybody above?—A. No, sir.

Q. Well, judging from the reports of the pistol shots, could you tell whether it was from one side of the street or general firing?—A. I think it was general. I could not tell from where I was.

Q. Could you see the flash and smoke?—A. Only those, as I tell you, that were fired up in the air.

Q. Who fired up in the air?—A. I could not tell. As I told you, I was surrounded by colored men.

Q. Wasn't that first volley fired in the air?—A. When it commenced, it was just as rapid as could be until it was all over, and I could not tell who was firing, except I saw pistols pointing up in about this direction [indicating]. I could see the hands, but could not tell who it was. I thought it was done to intimidate; to get people off the street.

Q. You thought it was done to clear the street?—A. Yes, sir.

Q. What effort did you make to get the people to disperse?—A. I went among the colored people with this colored policeman, Withers, and appealed to them to go away; told them they were liable to bring on trouble.

Q. What did they say to that?—A. They would not listen to me at all. He did his best and I did mine.

Q. How many colored people do you think there were there?—A. I should estimate the crowd at about two hundred and fifty.

Q. How many white people?—A. I reckon at the time when I went out among the colored people there must have been fifteen or twenty whites. I left them and went out among the colored people.

Q. Now, you say they would not listen to you at all?—A. No, sir.

Q. Did they appear to be angry?—A. They appeared to be excited.

Q. Were they pressing towards the white people?—A. Yes, sir; they seemed to be excited—the mass of the people. There was one or two colored men there. While I saw them, I did not know them. One of them particularly was urging the colored people on.

Q. Urging them on?—A. Yes, sir.

Q. Do you recollect what he said?—A. I appealed to him to leave the street, and he said if it had to come it was just as well to fight it out now as any other time.

By Mr. LAPHAM:

Q. If it had to come?—A. He said if it had to come it was just as well to fight it out now as any other time. I appealed to him and tried to get him to leave the street; and so did Withers.

By Mr. VANCE:

Q. Well, Mr. Corbin, what do you say now about the condition of these few white men who were on the pavement. Was it necessary for them to use weapons for their own safety, do you think?—A. I think so. There was a large number of colored men who were excited, and I think I should have done it if I had been on the sidewalk.

Q. You think that they did not display an unnecessary recklessness of human life by the using of weapons, then?—A. No, sir.

Q. After the colored people began to run, did you notice whether they ceased to fire at them, or not?—A. There were a few shots fired

up above, between me and the Arlington; a very few. It was all over in a minute. I do not think there were over a hundred or a hundred and twenty shots fired.

Q. Have you heard anything of any intention or design on the part of the white people there to provoke a difficulty?—A. No, sir; I had just gotten home that morning.

Q. How long had you been absent?—A. A week.

Q. Do you know of any intention or design among the white people to carry the election by intimidating the colored people?—A. No, sir.

Q. Never heard such a thing discussed in your club meetings, or anything of the sort?—A. No, sir.

Q. To what did you attribute the unusual excitement in the city more than an ordinary election?—A. Well, when I arrived home on Saturday morning I attributed it to Colonel Sims's speech.

Q. You heard of it?—A. I heard of it. I didn't hear the speech. I got home Saturday morning. I was told about the speech. People seemed to be very much excited about it.

By Mr. LAPHAM:

Q. This paper [handing copy of the circular entitled "Coalition Rule in Danville" to witness] is addressed to the citizens of the southwest and valley of Virginia. What portion of the State does that description embrace?—A. Southwestern Virginia, I suppose.

Q. The valley of the Shenandoah River?—A. Yes, sir.

Q. Now, you have answered the question that you think the white men were called upon to fire into the crowd of colored men there.—A. No, sir; I didn't say that.

Q. Well, Senator Vance so understood you?—A. I said this: That if I had been in the position of the whites, with the colored people advancing on them, I probably would have done it myself.

Q. You put an "if" in. Now, you only saw one colored man with a pistol. Now, what danger was there to the whites?—A. As I told you before, the firing was above me. I was in the lower part of the crowd.

Q. Did you see any weapons of any kind?—A. I only saw one.

Q. They had no sticks or stones, or anything with which they could commit violence?—A. No, sir; I only saw one colored man with a pistol.

Q. You don't know whether the firing above was from the colored people or the whites?—A. I suppose from both. I could not tell.

Q. Then that firing put the colored people in just as much danger as the whites?—A. It put me in danger, I suppose, from the way they whistled around me.

R. B. MURPHY sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside in Mobile, Ala.

Q. Are you a native of that country?—A. No, sir; I was born in Illinois.

Q. How long have you been in the South?—A. Since 1872.

Q. Were you in Danville on the day of the riot?—A. Yes, sir; I arrived in Danville Friday night of the 2d, and remained there until Tuesday of the 6th.

Q. Please tell us what you saw there.—A. Saturday about half past 2, I should judge, or 3 o'clock, after I came out from dinner, a gentleman, a drummer, who was with me remarked that there was a meeting down at the opera house of the citizens, and asked me if I would go

down. I did so. It was to indorse some campaign document of some kind. Colonel Cabell was called to the chair, and while addressing the meeting there was a disturbance in the street. Some one rushed up into the hall and said that there was a fight. There was quite a number in the hall got up to leave, and about that time some one remarked a man by the name of Lea had been killed. Colonel Cabell got up and said: "Citizens, be quiet, that is only done to break up this meeting. Let us pass our resolutions, and after we have done that, we will see the matter out." He had no more than got through when there was a pistol shot. I took it for granted it was a pistol, it sounded like it, and I went to the window. After a few moments, perhaps two or three minutes, things got rather quiet. I went back and took a seat and they passed the resolutions. They had no more than got through with them when the firing began to be general. I ran to the window again and looked out, but could not see from where I was. Then they started to leave the hall and I went with them. By the time we got down on the street, the firing had ceased, all except one shot, I believe. I remember seeing one man, a white man, push a colored man out of his way and say, "Go on now about your business," and fired his revolver up in the air. I then went up to the hotel through Main street where the crowd was gathered, and of course there was some excitement. About that time Colonel Cabell came to the front of the building opposite the Arlington Hotel and addressed the people. He says: "You have listened to me in peace, listen to me now. Keep quiet. Do not have any further disturbance." And there was no further disturbance after that.

Q. Everything was quiet from that on?—A. Everything was quiet from that on. Yes, sir.

Q. You saw nothing of the fight, then, except what you have described?—A. Nothing of the fight except that.

Q. Have you any idea how many men left the hall on the first alarm?—A. I don't think there was but very few.

Q. They all kept their seats when Colonel Cabell told them it was to break up the meeting.—A. They all jumped up; a great many rushed to the windows, but when he told them it was only done to break up the meeting the most of them remained.

Q. And when you got down after the firing had become general it was all over except that one man you saw fire his pistol in the air.—A. Yes, sir; it was all over except that one man.

Q. Please state what you did before you went South, whether you served in the Army.—A. Yes, sir; I served in the Union Army.

Q. And went South in 1872.—A. Went South in 1872.

Q. Engaged in mercantile business; you are what they call a commercial traveler?—A. That is what they call me.

Q. Had you any previous acquaintance in Danville?—A. Yes, sir; I had been there before; I had been visiting there a little over two years.

Q. Did you see any other disturbance up to the day you left? Did you leave before or after the election was over?—A. The morning of the election. I went from there to South Boston.

Q. How did the people seem to respond to Colonel Cabell's appeal to be quiet; to do nothing more?—A. Well, they were quiet after that. Of course there was some little excitement in talking about it and the way it happened and regretting it.

Q. No more disposition to do any violence?—A. None, whatever. It seemed to be the wish to keep the peace. I haven't any idea but what this only happened as any street fight may have happened. If it had happened at any other time there would not have been so much said about it.

By Mr. LAPHAM :

Q. How many went out from the opera house when you went up to the ground ?—A. I could not say, but there was not many. Do you mean the first-time ?

Q. No.—A. Oh, we all went out when the fighting became general.

Q. You started as soon as the general firing began.—A. It didn't last more than a minute, I think.

Q. When you reached there the firing had ceased.—A. Yes, sir.

Q. Where were the colored men then ?—A. They were running.

Q. Where were the whites ?—A. They were in the street.

Q. Were not they following and firing over their heads ?—A. I didn't see but that one shot after the general firing.

Q. Didn't you hear any more ?—A. No, sir ; that one shot is all.

M. P. JORDAN sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?—Answer. I live in Danville.

Q. How long have you lived there ?—A. About twelve years.

Q. Were you present on the 3d of November, at the time of the Danville riot ?—A. Yes ; I was.

Q. I wish you would tell, if you please, what occurred there within your observation.—A. On that day, about between 2 and 3 o'clock, I presume, I was in the opera house attending a meeting of our citizens there, and I heard from rumor, or some way, that my bookkeeper, Mr. Noel, was in trouble with a lot of negroes, that he was surrounded by a mob of several hundred near Woolfolk & Blair's office, and upon hearing that information I left the opera house and went up there, and shortly after, about the time I arrived there, I presume, the firing commenced.

Q. Did you join among the whites on that day ?—A. What do you mean by that question ?

Q. I will ask you if you had a pistol, if you were armed ?—A. Yes, sir ; I had a pistol on that day.

Q. Did you fire that pistol ?—A. I decline to answer that question.

Q. Why do you decline it ?—A. Well, for satisfactory reasons.

Q. Do you decline it because you fear that it will involve you in a criminal accusation, tend to criminate you ?—A. I must decline to answer that question unless forced by the committee.

Q. All we want is to ask you to state the reasons, you are not bound to answer ; but you should state the reasons why you do not answer. That, I can inform you, is the rule of law.—A. What is that ?

Q. That while you are not bound to criminate yourself, you are bound to state why you do not answer the question ?—A. Well, sir ; if I were to state that, it is an indirect admission that I did it ; if I should refuse for fear of criminating myself, it would be an indirect admission that I did it, and unless forced by the committee to give such an answer, I must decline to do so.

Q. Before pressing that question, I will ask you whether you mingled with the whites there.—A. I was upon the sidewalk where the whites were.

Q. Did you see anybody else fire that day ?—A. I did not.

Q. Did you hear any firing ?—A. I did.

Q. How many shots were fired ?—A. I could not tell, there were a great many shots in very rapid succession ; I suppose possibly fifty or seventy-five shots, it seemed to me, though I could not tell ; it would be a hard matter to estimate them.

Q. Where did you get your pistol?—A. I bought it from Mr. Valentine.

Q. How long before this?—A. I think, I am not positive, but I think probably three or four days; one pistol, though I had another one at home. I own two pistols.

Q. Why did you purchase a pistol; did you think yourself in danger?—A. I purchased it for my protection and for the protection of my family.

Q. Were there any peculiar circumstances that induced you to expect danger?—A. Well, sir; the community was in a state of very intense excitement at that time; negroes were turbulent and insolent, and there were a good many lawless depredations being committed around Danville at that time, and I preferred to have them as a matter of safety. I rarely ever carried them upon my person, but kept them home.

Q. How long did the firing continue?—A. A few moments.

Q. Which side dispersed?—A. The negroes ran.

Q. Did they run upon the first fire?—A. As I told you, the firing was very rapid and very quick, and they commenced to run; there was very little firing after the first volley or succession of volleys that occurred very rapidly.

By Mr. VANCE:

Q. At what time did you come out of the opera-house meeting?—A. I presume about half past 2 o'clock.

Q. I don't mean that, but at what stage of the disturbance on the street—before the fist fight or afterward?—A. It was just previous to the fight.

Q. To the fist fight?—A. No, sir; it was after the fist fight.

Q. And before the general fight?—A. Yes, a moment or two before the general firing. I heard that my book-keeper, a personal friend, was surrounded by a mob of negroes.

Q. And you went out on hearing that; when you got up to the scene, how many white people were there, and how many colored people?—A. I should say there were possibly from ten to fifteen white men.

Q. When you arrived?—A. Yes; may be as many as twenty, I couldn't say. I don't think though there was as many as fifteen and the streets were full of negroes. It's hard to estimate them, but I should say from three hundred to four hundred negroes, and angry too.

Q. How did they demonstrate that anger?—A. By oaths and curses and loud demonstrations of one way and another, and by pressing upon these parties.

Q. You didn't see any weapons in their hands?—A. I did not.

Q. Were you there when the firing began?—A. Yes, sir.

Q. You saw the firing begin?—A. Yes, sir.

Q. Did you hear anybody give the command to fire?—A. No, sir, but I deemed it a sort of voluntary thing.

Q. Do you know who fired first?—A. I do not.

Q. Do you know if any one, either then or at any stage of the proceeding, fired in the air?—A. I do not.

Q. How long did the firing continue before the negroes began to run?—A. Only a few moments; as I remarked just now, the firing was done very rapidly.

Q. The whole matter of the first fire until the last would not exceed a minute?—A. I should say not. It resembled more the explosion of a pack of powder crackers all set off at one time, than anything else.

Q. Did you see Mr. Holland when he was shot?—A. It was several minutes after he was shot before I heard of it.

Q. Did you see any firing from the ranks of the colored people?—A. No, sir.

Q. You could not tell?—A. No, sir.

Q. How near were you to the ranks of the white people when the firing began?—A. I was right up with them.

Q. Did you have your back to Woolfolk & Blair's office like the others did?—A. Yes, sir.

Q. Were there any arms and ammunition in Woolfolk & Blair's office?—A. No, sir. I have been informed that it has been stated here by a witness that he saw me going into that office, and come out with a pistol and fire it.

Q. Yes.—A. I denounce that as false.

Q. That you saw any arms, as false?—A. I did not.

Q. Did you see anybody come out of there with arms?—A. No, sir. I only saw one man near the door with arms, and that was Mr. Dance.

Q. He was standing there to protect his door?—A. Yes, sir.

Q. Did you go in and out during the fight there?—A. I did not. When the firing commenced I was just below, and I did not reach a small parcel of white men who were standing just above the door. When the firing commenced a good many of the by-standers commenced to retreat, and they shoved me back as far as the door, and that is as near as I ever got to it.

Q. Did you see any sign of bullets on the wall of that house, or the one above or below?—A. I cannot state positively. I never examined them with any view to questions upon that subject.

Q. You say this crowd was angry, and was pressing on those on the sidewalk?—A. Yes, sir.

Q. Did you hear anybody try to disperse them—to get them to go away?—A. I saw Mr. Corbin, and I saw Policeman Withers, I think, a colored man, trying to get them to leave, and one or two others.

Q. Did you see Mr. Freeman working among them, too?—A. I didn't see Freeman.

Q. Did you hear Captain Oliver propose that if they would disperse the white people would?—A. I didn't hear that.

Q. Did you hear any firing of the colored men after they had ceased firing?—A. Well, I heard firing after they had run.

Q. Well, it is in testimony here that some of them fired as they ran, and after they had ceased firing. Did you see any?—A. No, sir; I cannot say that I did. It was rather too warm about there to look after anybody else.

Q. You are a Democrat, are you?—A. I am.

Q. Took an active interest in that election?—A. Yes, sir.

Q. Joined in the councils of the party for its success?—A. Yes, sir.

Q. Did you ever hear anything, directly or indirectly, that there was a combination for the purpose of bringing on this row for the purpose of intimidating the colored men?—A. I did not.

Q. Was the row altogether unexpected at that time?—A. It was to me.

Q. Were the people all armed in the opera house?—A. I think not. Our people are law-abiding citizens, and I should say that there is hardly one man in twenty that carries concealed weapons.

Q. Well, in point of fact, after they came out, didn't many of them go off and hunt weapons?—A. Yes, sir.

Q. Showing they had not them before?—A. Yes. I know a number that went to hardware stores—went to Tyack & Doe's to get them after

it was over. I got a shot-gun and carried it to my house and there it stayed for three weeks, and I suppose I was one of the parties who was advertised for.

Q. Now, as a man of reasonable firmness in the presence of danger, did you think those men were not reasonably apprehensive, that they had to fire to save themselves?—A. I do.

Q. You believe that?—A. Yes, I do.

Q. Whether true or not, you believe they thought they had to fire to save themselves?—A. Yes, that was my impression, and I have thought that if those white men had retreated or showed the slightest disposition to recede from the position they had taken there, they would have suffered considerably, not only them but the entire town.

Q. Did you see any disposition to push the contest farther than was necessary?—A. I did not. The crowd were excited at the time and might possibly have done things they would not have done in a cooler moment. Colonel Cabell was there and headed off the crowd, and exhorted them to desist, not to go any farther, and they sobered down into as peaceable and as orderly a set of people as I have ever seen. Not only that, but under the instructions of the sergeant of the town they were put upon police duty and patrolled the town to preserve good order, those same men whom they said had been engaged in that riot. Our town authorities seemed to have been very inefficient at that time, and we had a mayor who was sort of a weak-minded, vacillating kind of a man, who didn't take an active part.

Q. There was no difficulty when appealed to in restoring order and calming everybody down?—A. None whatever.

Q. And you saw no disposition to push anything further than appeared to be necessary?—A. No, sir.

By the CHAIRMAN:

Q. Were you on the police force after this firing?—A. I was for a few days; yes, sir.

Q. Appointed on the police.—A. Yes, sir.

Q. And after the negroes ran away, you say there was no further disturbance.—A. No, sir; I say there was occasional firing; I could not say—

Q. But there was no occasion for disturbance after the white men had the entire field, and white men then were appointed on the police and guards were called out.—A. Put your question again.

Q. White men were appointed on the police. Were any negroes appointed on the police?—A. I think not.

Q. White men alone were appointed on guard and the Danville Grays were called out.—A. Yes, sir.

Q. And you give it as your opinion that the white people were in fear of being overwhelmed, and therefore you justify their firing.—A. Those white men that were upon the street—I did not state that I justified their firing. I stated that they had reasonable apprehension of danger.

Q. Did not the colored people have the same apprehension?—A. Well, they outnumbered them; had about six or eight to one, and I can't see why they should.

Q. Had not the white men a force of six hundred behind them in the opera-house?—A. They were two hundred or three hundred yards away from them, and these men were directly in front of them.

Q. Hadn't you yourself come down from the opera house?—A. Yes; I had myself, but I was an exception.

Q. And do you think that that body of white men, armed as they were, were in danger from the negroes?—A. I do, sir.

Q. Has that been your experience with the colored race?—A. What do you mean by that question?

Q. That they become aggressive under those circumstances?—A. Where there are numbers; that is, they become insolent and aggressive.

Q. Suppose the position had been reversed, and three negroes would have attacked the white man—A. I don't think it would have been; I don't think they have the courage.

Q. Would not the white men at once have overwhelmed them and hung them?—A. I think very likely they would.

Q. That is the natural way there, would it not be?—A. What do you mean by that question; that it would be natural to commit an act of lawlessness by taking them out and hanging them?

Q. Yes.—A. No, sir.

Q. Suppose that three black men armed should attack one white man, himself armed or unarmed, supported by unarmed white men; would not the white men rally in force and hang the negroes?—A. Suppose three negroes were to attack one white man and kill him.

Q. No; suppose three negroes armed, should attack one white man and beat him in the presence of a number of other white men. Don't you think the white men would rally at once and hang the negroes?—A. I do not.

Q. You would not in Danville.—A. Would not.

Q. What would they do with them?—A. They would probably arrest them and turn them over to the courts of justice.

Q. Was there any arrest of these young men after this killing?—A. Not that I am aware of.

Q. Has there been any movement towards their punishment?—A. Not that I know of. That is a question you might very properly propound to the Readjuster government of Danville. I don't know. As far as I know, there has been nothing of the kind.

Q. No attempt to punish them?—A. No, sir; only an investigation by the grand jury which not only acquitted but rather complimented them.

Q. We have heard about that. There were three men who participated in the previous investigation, and who signed the report of the committee of forty.—A. I don't know about that; they certainly did not participate in the row.

Q. Were you on the committee of forty?—A. No, sir; I was not.

By Mr. VANCE:

Q. Mr. Sherman asked you, suppose three armed negroes were to attack one white man, meaning thereby that three armed white men had attacked one negro; that is not the case, is it?—A. No, sir.

Q. Only one white man attacked one negro man, and the one white man had two white men friends, and the other about twenty.—A. If you refer to the Noel case—

Q. Yes.—A. Not only that, but the negroes said that it was a fair fight.

Q. Did you hear this?—A. Yes, I heard that they said it.

Q. Did you hear the negroes say so?—A. I stated it was from hearsay.

Mr. VANCE. Well, we don't want that.

LEMON COLEMAN sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. About fifty years.

Q. You were born there, were you?—A. No, sir.

Q. I will ask you if you were present in Danville on the 3d day of November, at the time of the riot.—A. I was.

Q. I wish you would state, if you please, what you saw and heard on that occasion. I will ask you first if you have been examined anywhere as a witness in this matter.—A. No, sir; I was not.

Q. Have you ever been examined in Colonel Sims's election contest?—A. I have.

Q. I wish you would now state what you saw and heard that occurred that day.—A. On Saturday evening the riot took place in Danville. I left my boarding house about 5 o'clock, between 4 and 5 o'clock.

Q. You think it was as late as 4 or 5 o'clock?—A. I reckon it was near about that, I guess.

Q. It was before the shooting, was it?—A. Yes, sir; I left, walking in the street to go up to get my provisions for Sunday—I keep a boarding-house there—and I heard a voice at its highest length before I reached Main street, crying "Murder, murder," just as loud as a fellow could holler, and I hastened to the place to see what was the confusion. When I had gotten up to Main street, I saw a gathering down near the front of Messrs. Woolfolk & Blair's insurance office. Hearing that confusion I started to the place, knowing that my counsel and influence among the colored people always had been considered among them, and in starting to go down to the place in which the confusion was, I saw several men and some children running there. I told them to go back. Says I, "Go back."

Q. They were running?—A. They were running towards the confusion. Says I, "Go back." I thought it was something serious, and I went across nearly fronting the Virginia House, where my boy had a little stand, where he sold candies, cakes, and one thing and another, apples; and in the length of that time I heard a pistol fired. It seemed that it fired on the ground, and the little boy said, "Thar, one voter is dead;" and I started to the place and seen Robert Adams, who was a police, and told him to go down there and quiet the fuss. I knew that the colored people had always taken my counsel, and I went there to counsel them, ask them to disperse and leave. Before I got to the place I saw some one leaving the place, moving away from where the confusion was. I says, "What's the matter?" Says he, "Mr. Noel was beating Hense Lawson." I says, "Why don't you tell them to tell the colored people to come away and disperse?" Then I saw them leaving, after hearing that pistol fired; leaving there in haste seemed to be cowardly, and I started back, and before I got there, about five minutes after hearing that, one pistol fired. It seemed it struck the ground. I started down to the store to get my sugar and coffee, and that immense firing commenced.

Q. The volleys?—A. Yes; a large portion, or some fifty or sixty or one hundred went off all at once, it seemed, and I run in Mr. Gillum's saddler shop for protection. I found balls hit on the left hand side of the street, and Gillum told me to go back into his back room. Says he, "You had better go up stairs." I went in the rear. Before I went in there, I turned around to look, and a ball went in his rear over my head. When that ball passed over my head, I saw some man shot.

He was shooting right straight up the street, and in his attempt to shoot, I saw some man—I could not say who shot—one white man shoot another. Says I, “Dar, a white man has shot a white man,” and then the ball went over my head and the man fell.

Q. A white man fell?—A. Yes, sir; and another man picked him up. The one that was shooting kept on shooting right straight up the street.

Q. Where was he shooting from?—A. Near Woolfolk & Blair’s insurance office.

Q. Was he shooting from among the white people?—A. Yes, sir.

Q. And you could see?—A. Yes, sir.

Q. And he kept shooting in the same direction?—A. Yes, sir; I saw him shoot.

Q. I wish you would describe the man.—A. I don’t know him.

Q. But can’t you describe him?—A. Well, he had black whiskers. Just as soon as he shot that other man, I said to Mr. Gillum, “Dar, a white man shot a white man,” and the shot went over my head, and I went into the rear, and afterwards Mr. Gillum told me I could go out and go home, and I went and bought my sugar and such things as I could get, and went to my place of business.

Q. Did you go to see who was shot?—A. I did not. Another man stepped right up and picked him up. He fell at the crack. I was looking right at him.

Q. Where did you go then, after you went out and bought your goods?—A. I went back to my place of business.

Q. Did you see the crowd of colored people there?—A. Yes, sir; I did.

Q. Did you see any guns or weapons?—A. I did not.

Q. Did you look at them?—A. I did for a short while. I would have been in the midst, knowing, as I tell you, they had always taken my counsel. I went there to get them to disperse, go to their places, and quit the confusion in the street; but before I got there I met others going away.

Q. Where did the balance of the colored people go?—A. Just passing off, then, before the shooting was done. They had seen the pistol, and I would have been in the crowd, trying to counsel them, but for meeting several going away from the confusion. That is the reason I was not in the midst, trying to counsel them.

Q. And you didn’t see any pistol in their hands?—A. No, sir.

Q. State how many white men were there.—A. I couldn’t tell you.

Q. Can you state how many pistols you saw in the hands of white men?—A. I could not. At the time I saw the confusion, I saw it was a dispute between the white and the colored, with the white on the pavement, and the colored in the street.

Q. Did you see Mr. Holland at that time?—A. I didn’t know it was him; he was the man that was shot, but I didn’t know it was him at the time; I found it out afterwards.

Q. Did you see him afterwards?—A. I found out afterwards.

Q. That Holland was the man?—A. Yes, sir; the same one that has been named here.

Q. Did you ever go before the grand jury in respect to this matter?—A. I was summoned before the grand jury.

Q. Did you go?—A. I went; and a gentleman, one of the members of the grand jury, told me he did not want me, and I disbanded.

Q. You went home; you therefore never made your statement to the grand jury?—A. I did not.

Q. Who was the jurymen that told you that?—A. I don't know exactly. I think Mr. George Ayres was the chairman of the grand jury.

Q. He was the chairman. Was it Mr. Ayres who told you?—A. No, sir; it wasn't him.

Q. It was another member?—A. Yes.

Q. Did you know the name of the grand jurymen who told you this?—A. I couldn't call his name; I would know him if I saw him.

Q. He was one of the grand jurymen?—A. Yes, sir; I got the authority from him.

Q. Do you know whether this same gentleman was on the committee of forty?—A. I don't. I don't officiate much in political affairs; I merely got in this trap to give counsel to my people to behave themselves.

Q. You didn't see the origin of the fight?—A. Not any of it, only what I have told you.

By Mr. VANCE:

Q. You got no nearer, Mr. Coleman, to the place where the fighting was than the saddler's shop of Mr. Gillum?—A. Yes, sir.

Q. How far is that from Woolfolk & Blair's office?—A. I couldn't tell how much, but only across, its nearly opposite; I reckon its about fifty yards; fifty or sixty yards.

Q. Well, it is not directly opposite there, is it?—A. No, it is not.

Q. A little angling?—A. Yes, sir.

Q. So it could not have been that a man was shooting straight up the street and shot in the door?—A. No, sir, it could not; I did not judge he was shooting at me. The ball just flew in the house, and I felt innocent.

Q. You said you saw that it was a white man shooting?—A. I did.

Q. Did you see where he stood?—A. Yes, sir.

Q. Where did he stand?—A. He stood on the pavement.

Q. In front of whose house?—A. Just a little above Mr. Woolfolk & Blair's.

Q. Then he shot across the street at you?—A. No, sir; he didn't shoot at me.

Q. He was not the man that shot at you?—A. Oh, the ball fell accidentally.

Q. There was no colored man on the sidewalk, was there?—A. They were in the middle of the street, near about the middle.

Q. What was this man shooting up the sidewalk for, if there was no negro man there?—A. But they were running, and he was shooting after them.

Q. Were there colored men on the sidewalk?—A. Yes; they were running in every direction; for a little while, a minute, the colored people ran in every direction, and when I turned and looked, I saw the man who ran up the street, and don't think he intended to shoot the man he did shoot; thought it was an accident, but I know it was he that shot the man; I saw him.

Q. There were many other pistols fired at the same time, were there not?—A. I don't know; I was looking at that one man.

Q. You could not follow the bullet after it was fired?—A. I saw him fall at the crack.

Q. At the crack of the gun?—A. Yes, sir; I could not have seen any other pistol at the same time I was looking at that.

Q. Was there no other pistol out except that one?—A. Oh, certainly; but that was the one I noticed.

Q. You noticed that particularly?—A. That is it. That is what I wanted to get at.

Q. You could not tell any other man but the man you were looking at?—A. Only the one I looked at.

Q. Were you looking at him all the day?—A. I didn't look at any after that. When the ball went over my head, I went in.

Q. Up to that time, you had fixed your attention upon one single man, and watched him?—A. You see that when I run in at Mr. Gillum's saddler shop, I turned around to look back, and he turned and fired up the street, and shot that man in the head, and a ball went over my head in the rear.

Q. The man fell on the sidewalk?—A. On the sidewalk a little above Woolfolk & Blair's insurance and bank; near the bank.

Q. Which way was he going—the man that fell?—A. He had his face turned up the street. It seems the ball hit him somewhere about the back of the head.

Q. His face was towards you, was it?—A. No, sir, up street; fell right straight up street.

Q. The bullets then were going in another direction from you?—A. Yes; in another direction. He wasn't shooting at me. It was an accidental ball that went over my head, and I went back in the rear.

Q. Then you think the same ball that killed this man passed over your head?—A. Not a bit of it; it couldn't. He was shooting in every direction.

Q. What ball was it that passed over your head?—A. Some other ball; some other man shooting at the same time.

Q. Didn't you look in the direction from which the bullet came which threatened you most?—A. Not a bit of it. I was looking at one shoot the man and could not have seen but that one at the same time.

Q. Suppose there had been a dozen men in a group, would not your eyes have been on all at once?—A. Could not have been on all; can't be on more than one at a time, naturally. I was looking at that man I saw shot.

Q. You saw him fall?—A. Yes, sir.

By the CHAIRMAN:

Q. Could not you tell what direction the pistol was pointed?—A. I did. I have told it. I mean it. The ball struck the head and went over, it seemed, and sort of glanced; the man fell at the crack, and another stepped right up and picked him up. I don't think he was shooting at him. He was shooting up the street and shot before he got ready.

By Mr. VANCE:

Q. You are sure that no other bullet in all that crowd hit that man except this one you saw fired?—A. I couldn't say that. All that I saw; I can identify no more than I saw.

Q. I thought you were very sure?—A. Not a bit; I am telling what I saw.

Q. You saw a man fire a pistol and saw another man fall?—A. At the crack.

Q. And you don't know whether he killed him or somebody else killed him?—A. No, sir; it didn't kill him, he fell.

Q. You say at the same time there were a great number of other pistols fired?—A. Oh, yes; that is why I run in the room, and in looking back I saw that man fire and that man fall, and then a ball went over my head, and I went back in the rear.

Q. Did no other pistols fire at the same time that this man's pistol fired, who was in the rear of the man that fell?—A. I could not tell. I was looking at that. I saw that one.

Q. Didn't you hear them?—A. Of course others were fired.

Q. You heard others firing at the same time?—A. Yes, sir.

Q. Did you see any colored man with any weapons at all?—A. I did not.

Q. The colored men were all peaceable, were they?—A. No, sir; they were in confusion.

Q. What do you mean by "confusion"?—A. I mean they were there, and I thought if I could have gone there, I could have caused them to have gone away.

Q. I have no doubt you could, but you didn't get up.—A. That is it.

Mr. LAPHAM. They were running before he got there, he says.

The WITNESS. Yes. I met them.

Q. If you had got up there in time, you think that these colored men would have listened to you.—A. They always had.

Q. They always had.—A. Yes; more or less.

Q. Now, I asked you if the colored men were all peaceable and quiet, and you say that they were not. Did you hear any expressions besides the firing when the men were running?—A. I did not.

Q. Did you hear any cursing, or oaths, or anything of that kind?—A. I didn't get in the midst of them. I would have been in the midst of them but for the firing, and I met them coming away before I got there.

Q. You don't know anything about the efforts of the police and others.—A. No more than I saw Bob Adams, who was a police. I said, "Robert, why don't you go there and try to disperse them people?" He run away, and went on up street.

WILEY L. WILLIAMSON sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Danville.

18Q. How long have you lived there?—A. I have lived there ever since 69.

Q. Were you there on the 3d of November?—A. I was.

Q. I wish you would tell, in your own way, what you saw and heard in respect to the Danville riot, from the time you first heard of it, until the close.—A. I keep a little grocery store on Market street, on the left-hand side going up street, and I had a call for ammunition in the morning.

Q. Who from?—A. From a boy that was going hunting, by the name of John Woodward, if I am not mistaken.

Q. Is he white or colored?—A. Colored. I told him to go to a gun shop. I was busy waiting on customers, and hadn't any.

Q. You didn't sell him any ammunition.—A. No, sir; I told him I didn't have any. At about half-past 2 o'clock my attention was attracted on seeing people going towards Main street, and it raised my curiosity, and I went on up, and when I got there, I found Mr. Noel and Mr. Lawson engaged in a fist fight, and I ran up and attempted to part them, and some man or another, I don't know who he was, but I think he was that gentleman right there [pointing]—

Q. That is Mr. Lea.—A. Yes, sir; and another man, he says, "Get back." I says, "I want to part these folks," just so. He says, "Damn it, get back." He drew a pistol, and that time I stepped back, and when I stepped back, I then left and went on down to Market to get a

revolver from some colored friends down there, but didn't succeed in getting it, and came on back anyhow to see what they was going to do. After getting back, that same gentleman was there—Mr. Lea. A man by the name of George Adams, says, "Are we all going to stand here and let that man kill Hense?" just so. "I won't," says I, and he rushed right on, and Mr. Lea was the first man he got to, and he reached up to try to wrench the pistol from his hand, but he didn't get it, and George Adams threw Mr. Lea down in the gutter, and while they were down there scuffling over the pistol, it went off, and I think that gentleman struck him with a stick, or something.

Q. Taylor.—A. Yes, sir. I think he struck at him with a stick or something, and the pistol went off when he was down there, so I got off in the middle of the street; and they said, "You all leave here." I was in my shirt sleeves, and I just got out in the middle of the street, and they said, "See the negroes advancing on you. Fire at them." And when they said that I just stepped back; and when they fired I didn't know who it was. I went away to Dr. Sidney's office, and went up stairs and looked down in the street. By the time I got up there I reckon there was somewhere about thirty-five or forty shots fired. I got up there, but could not recognize anybody I knew well, but Mr. Joel Oliver.

Q. Who is he?—A. He is captain of the Danville Grays. I saw him; he is the only man I could recognize at the time; and I thought they would kill some four hundred or five hundred by the way they were shooting down there. I didn't know anything of the meeting at the opera house at all, but when I got upstairs there they were all coming up from down that way. I didn't know where they were coming from, because I hadn't seen the pamphlets.

Q. After the fight was over between these two men, and when they commenced to fire, how many whites were there in the crowd?—A. In the general firing, you mean.

Q. Yes.—A. Well, when they first got there I don't think I recognized but three gentlemen. When they first started to fight there was only three at the time, and there was one man standing in the door with a gun.

Q. What is his name?—A. I have heard his name was Dance. I don't know; he is a small fellow. They were gathering as fast as they could, and by the time the general firing commenced I suppose there was about seventy-five or one hundred.

Q. How many colored?—A. I suppose about one hundred and fifty in the street, men, women, and children.

Q. Did you see any colored people have arms?—A. No, sir; I didn't see any person have arms at all.

Q. How many whites had arms, as near as you can tell?—A. As near as I could tell at the present time, when I was out there I saw six or seven, I suppose, standing around with pistols up over their heads daring anybody to come there.

Q. That was before the firing commenced?—A. Yes, sir.

Q. When the first volley was fired, how many men were there with arms?—A. I don't know how many were there in the first volley that had arms, but seventy-five or one hundred, as I said before; but I don't know whether they all had arms or not.

Q. Were they formed in line?—A. Yes, sir; it seemed they were formed in line on the sidewalk.

Q. How many shots were fired altogether?—A. I don't know how many were fired. I reckon there were about forty or fifty fired when I

was running up the steps. At the time I got to the front window and saw them the shooting was steady. I couldn't tell you how many was fired.

Q. How long did this firing continue?—A. I suppose three or four minutes.

Q. What did the colored people do?—A. They all run.

Q. At the same time you did, or before or after?—A. They ran after I did, I think.

Q. Which way did they run?—A. They went in every direction; some went up the street, some went down, some went through the market, and some in stores.

Q. Dispersed around.—A. Yes, sir.

Q. How many men were killed that day there, or died in consequence of the shooting?—A. Three died instantly.

Q. Three killed instantly. How many died afterwards of wounds, do you know?—A. No, sir; I disremember now.

Q. Do you know how many were shot beside the three that were killed?—A. I could not give a direct answer, but I have heard that it was some eight or nine.

Q. Before the firing commenced, was there any command given in regard to firing? Did you hear any?—A. Yes, sir; I think I did.

Q. What did you hear?—A. I think I heard them say, "You see the negroes advancing on you;" they says, "fire." I think at that time the firing commenced. When the firing commenced I was at the steps, and then when I got to the top of the steps I went into Dr. Sidney's office.

Q. What other expression did you hear from either the colored or the white people?—A. I heard a policeman say, "If you all don't leave here you will get hurt."

Q. Was that the policeman that testified here—Mr. Withers? A. Yes, sir.

Q. Did you hear any one else speaking?—A. No, sir; I don't think I heard any one else speaking. The colored people were kind of slow about going away, and they said, "If you don't leave you will get hurt;" and they didn't leave, I suppose, fast enough, and that is the reason they commenced firing on them; and I suppose what they thought was advancing on them some colored people had heard it away down the street, and they were coming up towards the crowd.

Q. Was there any advance at all on the whites by the colored people?—A. Not out in the street there, but coming from every direction to see what the excitement was.

Q. Do you feel any apprehension of danger on account of testifying in this matter?—A. No, sir.

Q. Is there anything else connected with the transaction that you saw there that you wish to say? If so, tell it.—A. No, sir; nothing else.

Q. You have stated after the firing—what did you do when you left the house or office that you were sheltered in?—A. When I came out of the office I came down the steps, and Mr. Noel who was passing there by that time—he had on, I think, a light brown coat; he passed just as I stepped out of the door, and was passing, and had his hands in his pocket, just so; and he looked at me, but didn't say anything to me, and I didn't say anything to him.

Q. Where did you go then?—A. I went home to my market—to my store.

Q. That is all you saw?—A. Yes, sir.

Q. Was there any organization among the colored people there with a view to any controversy with the white?—A. No, sir.

Q. You never heard of any?—A. No, sir.

Q. You would have been likely to have heard?—A. Yes, sir.

Q. Was there any anticipation of a fight among the colored people that day?—A. No, sir.

Q. Did you hear any one suggest that?—A. No, sir.

By Mr. VANCE:

Q. At what time of the proceeding was it that you ran upstairs?—A. The time the general firing commenced.

Q. The time the general firing commenced, or before?—A. No, sir; it was not before; it was just the time they say they saw the negroes advancing on them, and fired on them; they commenced firing and I whirled, went in, and shut the door, and went up the steps.

Q. Were the colored people advancing on the whites?—A. No, sir; no more than like those gentlemen standing right there, and some one coming in to the door to listen; people running in different directions behind them, but those in front were not making any advancement at all.

Q. When you started up the stairs there, you told the committee there were seventy-five or one hundred white men on the pavement when the firing first began?—A. Yes, sir.

Q. You stand by that, do you?—A. Yes, sir; I suppose about seventy-five or one hundred persons were on the sidewalk at that time.

Q. You say they had come down out of the opera house before the firing began?—A. I did not say that.

Q. You said they came from down that way?—A. I say they came from down that way when the first shot was made, and George Adams tried to get the pistol from Mr. Lea.

Q. How many were present when the fist fight took place?—A. I have told you three. A man by the name of Nat. Lawson was hollering "murder," and I suppose that is what drew the crowd. Those are the first three that I saw. I reckon that I was about the seventh one that got there.

Q. How many colored people were there there?—A. I said about one hundred and fifty, I reckon.

Q. I mean when the fist fight took place between Lawson and Noel.—A. I reckon there was about twelve when Mr. Noel first attacked him.

Q. Who was it that tried to get you to go in and help?—A. No one at all.

Q. Who was it said, "Are you going to stand and see that man beat to death?"—A. That was George Adams.

Q. To whom did he say it?—A. Nobody at all. He says, "Men, are you going to stand and see that man beat to death?"

Q. It was in your presence, was it?—A. Yes; it was when I was there. I then did what I said before. I had been down in the market to see if I could borrow a pistol. That was after I came back.

Q. What did you want a pistol for?—A. I wanted a pistol to protect if anything should happen, but I didn't succeed in getting it.

Q. To protect from anything that might happen. What was the necessity for your getting a pistol?—A. I saw him have a pistol.

Q. Who?—A. Mr. Lea and the other man.

Q. Did Mr. Lea say for you all to stand back, to have a fair fight?—A. He said, "We intend to have a fair fight."

Q. Noel was not using any weapons, or Lawson, was he?—A. No, sir.

Q. What did you want with a pistol?—A. I say I saw Mr. Lea have one.

Q. And you wanted one just because he had one. You came up to interfere in the fight?—A. I came up to separate them. That was before the policeman got there.

Q. What authority had you to separate them?—A. Well, of course, Hense was a man that I knew.

Q. So you came up to take a part to help Lawson, didn't you?—A. Not a bit of it. I came up there to separate them.

Q. Did you ask anybody to separate them; to help you?—A. No, sir; never asked nobody at all.

Q. Who did you propose to take hold of?—A. Lawson. I did not have anything to do with Mr. Noel.

Q. And Lea told you to stand back; that they were going to have a fair fight?—A. Yes, sir.

Q. And had a pistol in his hand, and you went off to borrow a pistol?—A. Yes, sir.

Q. When did Adams try to take Lea's pistol away?—A. That was after I came back.

Q. Was the fight over then?—A. No, sir.

Q. How long after you got back until they finished?—A. I do not suppose it was two or three minutes before they finished, because I run down there.

Q. Well, it was a right long fight altogether. How long did it take you to run down there for the pistol?—A. I suppose it is not more than one hundred steps.

Q. That would take you more than two or three minutes?—A. No, sir; it did not take me that long. The soldiers make one hundred and eighty in one minute.

Q. Does he? I didn't know that. One hundred and eighty in one minute?—A. Yes, sir; I think it is.

Q. That is three steps to a second. That is tolerably good time, is it not; that is about equal to Longfellow, is it not?—A. I don't know about that. I think it is one hundred and eighty. I think that is the way it is—"double-quick time."

Q. Now did you hear of men trying to get the colored people to disperse after the fist fight was all over; did you hear the remarks of Captain Oliver, Corbin, and Freeman?—A. I heard Bob Adams and Mr. Freeman try to get them to disperse, because they were then out in the crowd; but those other men I did not hear them, because I was on the other side, in front of Woolfolk & Blair's office. As they talked they came along where I was, and I commenced to get back.

Q. Did you see any weapons in the hands of colored people?—A. No, sir.

Q. Did you see any desire for a fight?—A. No, sir.

Q. Did you hear any threatening?—A. No, sir.

Q. Any cursing; any angry language?—A. No, sir; when the general firing first commenced I said that I was then near to the gutter on the opposite side of the street. I ran upstairs. Well, I could not tell what the colored people were doing; and the white people, when I got upstairs, they were shooting towards the crowd, and I did not see any white people falling, and so I did not reckon the colored people had any pistols.

Q. You don't reckon they had any pistols, because you did not see any fall? Did you see Holland fall?—A. No, sir.

Q. Did you see Seward get shot?—A. No, sir.

Q. And did not hear any firing at all from the direction of the colored crowd? What did they press up there for, and refuse to disperse and

go home, if they did not want to fight?—A. I can't make any discrimination between shots of a pistol when people are shooting.

Q. Well, but you can make a discrimination between pistol shots and the question I asked you, can't you?—A. What is that?

Q. I asked you why these colored people pressed up against the people on the sidewalk, if they did not want to fight?—A. I don't know. They did not press up. They were standing just where they were.

Q. They were all around the white men, were they not?—A. They were about in the middle of the street; I suppose about the distance from here across the table.

Q. Were they not as close as they could get, without getting on the sidewalk?—A. No, sir; I do not think they were; they staid on the sidewalk, and the colored people in the street. I suppose it might have been a yard or a yard and a quarter, the distance between the two parties.

Q. That is something like 4 feet that they stood apart. Now, why did they stand up there if they were not angry, and wanting to fight, demanding something? Why did they crowd up there?—A. I could not tell why they crowded up there.

Q. You heard what the colored men said, didn't you?—A. The only man I ever heard say anything was George Adams: "Are you all going to stand here and let that man kill Lawson?"

Q. That remark sounded like he wanted to fight, didn't it?—A. I don't know. He tried to get the pistol from Lea's hand.

Q. Did you hear any other colored man say a word?—A. No, sir.

Q. Didn't?—A. No, sir.

Q. In all that talk you swear you did not hear any other colored man say a word?—A. Where did I tell you I was standing? I told you I was standing on the upper side of Woolfolk & Blair's office, out in the middle of the street. I was not in the thickest of the colored people. I was sort of on the borders.

Q. Couldn't you hear on the borders?—A. I told you I heard a policeman tell them to disperse.

Q. Did you hear what they said?—A. No; only what George Adams said.

Q. You did not hear any other colored man say a word?—A. No, sir.

Q. Not a word? Now stand to that. Then you went off upstairs to look out of the window at them until the fight was over?—A. I did.

Q. Did you see any colored men fire at all?—A. I did not. I was up over the colored people, and could not see them.

Q. Couldn't you see the colored people? How could you see the white men through the window and not see the colored?—A. I saw the colored people going away.

Q. Didn't the window look out into the street?—A. Of course it did.

Q. Didn't it have glass in it? Couldn't you see the colored men as well as the white ones?—A. The colored people, a portion of them, were going right up street; the biggest portion went that way towards the market, right under me, and I couldn't see them.

Q. After they got away from the crowd you couldn't see them, I suppose? The crowd hadn't run, had they?—A. They were getting away.

Q. When they were going away did you see any colored man fire?—A. No, sir; I did not.

Q. Nor at any other time?—A. No, sir.

Q. But you saw plenty of white men fire?—A. Yes, sir; I saw them fire.

Q. How many men you saw were killed?—A. I think there were three.

JOHN STONE sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived there?—A. I have lived there eighteen or nineteen years.

Q. Were you born in that region?—A. No, sir; I was born in that county, though.

Q. Were you in Danville on the 3d of November last?—A. Yes, sir.

Q. I wish you would tell, in your own way, all about the fight and riot that occurred in Danville on the afternoon of that day. Tell where you were when you first saw it, and all you saw and heard.—A. On that day I had left my work and was going down in the market, as I generally eat down there at the hay scales office.

Q. What is your business?—A. I was living at the post-office building. I had gone down there to eat my dinner, and had eat my dinner, myself and the market clerk, and had started up the market towards Main street, and we heard some one hollering "murder," and we hastened on and walked up to the corner. It was not quite opposite to where the fight was, but sort of bias, right across Main street. We reached the corner there, and we saw that the man who was hollering "murder" was Mr. Nat Lawson, and he said to me, "We had better stop right here;" and we stepped over to Jones's drug-store, on the corner there, and looked over and saw Mr. Noel and Hense Lawson engaged in what seemed to be a fist fight, and this other man was hollering "murder."

Q. Who was that?—A. Nat Lawson. Not the man that was engaged in the fight; and I staid there during the time the fist fight was going on, and the people gathered from every direction, both white and colored. The colored people were betwixt me and the white people, and when they stopped fighting—I could not really tell when they stopped fighting; but it seemed to be a fist fight, and in the mean time I saw a policeman go up. During the time I saw Mr. George Lea. It seems he was standing on the step—I am not positive that he was standing on the step; but it seemed he was sort of bias to the door, with a pistol in his hand and waving it; and I disremember whether it was Withers or Adams went up (a policeman, anyway), and in the mean time, then, I saw Mr. Peter Booth coming down from his store, and hollering, "Get those niggers away from here." I continued to stand there; didn't think it would be anything more than they would be separated. Whether he had a pistol in his hand or not I am not positive, but at any rate he came down and seemed to be very angry, hollering; and I then at that time kept looking over there, and I saw a colored man. I have been told since that it was a man by the name of Adams, but whether it was or not I don't know; seemed to grasp Mr. Lea, and in the mean time that he grappled him, it seemed they got down on the ground. I am not positive. The crowd was betwixt me and him, and while they were down on the ground, it seemed to me, the pistol went off. I never moved, but still held my position, people passing backwards and forwards, some coming, and some going. I still stood still looking over there, and I saw a man by the name of Mr. Dance come to the door with what seemed to be a double-barreled shot-gun; but whether he fired it or not, I am not able to tell. But he staid in the door with it. In the mean time then the firing had taken place. By that time the firing had taken place. Myself and Fields started back to the hay-scales office, and the crowd rushed and run over me pretty much; seemed to run against and knock me; but I kept my position, and went on down, and

went in the hay-scales office, and sat down there a few minutes. It seemed the firing had ceased. I went out and stood on the corner, but peeped around; did not put myself in a position so the balls would hit me—peeped around the corner. In the mean time I saw Jack Redd coming down the market. I suppose he was, I reckon, 30 or 40 yards from Main street on market stand, if I am not mistaken. I may be, but I don't think so. Mr. Covington, I think it was, and a man by the name of Mr. Reagan, seemed to be shoving him, and I think one of them kicked him, and a man by the name of Mr. Reagan shot at him; seemed to shove him off from him, and shoot at him.

Q. That is the Mr. Reagan that testified here.—A. That is what I think; I do not know; so I was told. He was a Reagan; that is all I know of him. He shot at him, and the man replied, though before he shot, "What have we colored people done to you?" and he seemed to shove him off then, and shot at him. Well, there were two shots, but whether the same man made the same shots or not, I don't know; but there was pistols in those men's hands. Colonel Cabell ran up then and took hold of the man and jerked him around, and says, "Don't kill that negro."

Q. Did Redd get away then?—A. I do not know really what became of him then. I didn't see any more of it.

Q. By that time had the crowd dispersed?—A. Oh, yes; they had gone then.

Q. Did you see Captain Walters on that occasion?—A. I did.

Q. What did he say?—A. After that was over I was down at the scale office consulting with myself whether I would be safe to go to my work or not, as I had to go up that way.

Q. What was your work?—A. Working at the custom-house. I was down there wanting to go to my place of business, but really did not feel that it would be safe at that time to go on up there. Captain Walters came up going down to the blacksmith shop, where his horse was—at least he got his horse there—and there were some colored men there that he knew; I reckon he must have known them. He says, "It is pretty hot, boys; it is pretty hot, but it is not half as hot as we are going to make it."

Q. Who is Captain Walters? Is he a citizen of Danville?—A. No, sir; he lives a mile and a half, I suppose, from the town.

Q. What are his politics?—A. I don't know; I suppose, though, he is a Democrat.

Q. As a general rule the white men were Democrats, were they not?—A. Oh, yes.

Q. I will ask you whether you saw any pistols in the hands of white men; if so, how many held them?—A. I could not begin to tell you how many I did see have pistols. I saw numbers of them, though, have pistols. Of course I could name some few that I saw have pistols.

Q. Did you see any pistols in the hands of colored men?—A. I did not see one.

Q. Did you have an opportunity to see them if they had them?—A. I did. I don't really believe there was any in the hands of any, because if they had them I think they would have used them.

Q. Did you hear or know of any expectation on the part of the colored people of any trouble or any fighting before this occurred?—A. Well, I had heard it rumored around that there was going to be a row before the election, or on the day of the election. I had heard that rumored around; but I don't know as that was reliable.

Q. Was there any expectation on the part of the colored people?—A. None that I know of.

Q. Do you know of any organization with a view to a riot?—A. None that I know of. I don't know as I know any colored man in the place that had any animosity to raise a row on that occasion.

Q. Did you vote on the day of the election?—A. I did.

Q. Did the colored people generally vote?—A. They did not.

Q. Do you know why they did not vote?—A. I only know this, as I had been one of the runners from poll to poll a great deal to go about and hunt them up, and I went and voted myself, and asked a great many to vote, and they said they were not going to vote; they did not want to be slaughtered up.

Q. Was there a general fear among the colored people?—A. They said there was.

Q. They were laboring under that misapprehension, you think?—A. Yes, sir.

By Mr. VANCE:

Q. Did you vote?—A. Yes, sir; I did.

Q. Nobody offered to interfere with you?—A. They did not. Still I will make this statement: they did not any one offer to interfere with me, and I was told that no one would insult me and say anything to me disrespectful, but a gentleman did say something to me that I don't think was very pleasant. If I had wanted to kick up a row it might have caused it.

Q. He did not offer you any violence, did he? He said something you thought unpleasant.—A. He said something I don't think he ought to have said to me.

Q. You saw Reagan kick and shoot at Redd.—A. Yes, sir.

Q. You say he had hold of him and kicked him, and then shot at him.—A. He had hold of him by the shoulder.

Q. Redd was not shot, was he?—A. No, sir.

Q. How did he miss him?—A. Oh, I don't know how that was; he was close enough to hit, but I know he shot.

Q. It was evident that he was only trying to scare him.—A. I am unable to tell that.

Q. Well, if he was that close, close enough to take hold of him, why didn't he hit him?—A. Oh, he shoved him off from him before he shot.

Q. How far did he shove him?—A. As far as from you to me, about 8 feet.

Q. If he had been anything of a shot he would not have missed him?—A. It is liable he shot. I am not able to say whether he intended to hit him or not.

Q. Circumstances look that way, don't they, that he didn't try to hit him?—A. There is no telling—men in anger that way—what they will do.

Q. I ask you couldn't he shoot him at that distance.—A. I don't know; but I believe that if it hadn't been for Colonel Cabell they would have killed him.

Q. You were not asked that question. I asked you whether he could have hit if he wanted to.—A. I have shot at things that were close and missed them.

Q. May be you are a mighty bad shot, and did not shoot at things as big as a man.—A. No, sir; never as big as a man.

Q. Well, it is little out of the common for a man used to a pistol to

miss a man that close, isn't it, and take two cracks at him at that?—A. Well, it is according to the state of excitement.

Q. Well, you won't admit it.—A. What they intended I don't know.

Q. But you are certain that it was Reagan.—A. Well, I think I am very sure it was Mr. Reagan.

Q. How far away were you?—A. I suppose I was about a hundred yards.

Q. Now, Mr. Reagan who is here, swears he did not shoot. Who do you think knows best, he or you?—A. I don't know.

Q. You won't admit that he knows best.—A. He has a right to swear that and I have a right to swear what I think.

Q. You have got a right to swear as you please and so has he.—A. Certainly I have. Don't you think I have?

Q. I think sometimes a man must be guided in his swearing by what he thinks the facts are.—A. Well, that I think is the fact.

Q. How far does Redd live from town?—A. Well, I don't know; I think it is called three miles; I am not positive.

Q. He lives at a place called New Design, does he not?—A. He lives right there.

Q. Well, he is in town very frequently. Isn't he a leading politician and chairman of the executive committee of his district?—A. Yes, sir.

By the CHAIRMAN:

Q. I will only ask you one question more. What was the slight thing you thought was not right on the day of the election that was said to you that was unpleasant?—A. Well, I went up there to vote, as I fully intended to vote. I knew very well one thing, that I had been told that there was not to be any disturbance by some men I had confidence in; and I knew I had been told so by some I didn't have any in, and I went up with every intention to vote, behave as I always did, and if any one came up there to vote to advise them to vote, and if they wanted the Coalition ticket to give it to them; and they had a plankway up betwixt the colored and the whites; and it seems that when I got there one of the judges or one of the clerks had gone out somewhere. Mr. Schoolfield said to me to hold on, that one of them was gone, and that I should be the next man to vote. There was no crowd about the voting. There was a gentleman standing there with a dog, and the plank was about a foot and a half from the ground, so that we could look over in one another's face. He remarked to his dog, "Come back, sir, to this side, you aint no nigger; don't stay over there with a nigger." Now if I had been a man like some men that would have caused a row. But I did not pay any attention to it; I disliked it, though.

Q. Do you think that that would be worse than saying, "Here I am?" Would you have thought that a very insulting expression to you?—A. It depends altogether upon what we had been talking about. But it seems a man comparing a man with a dog, or something of the kind; and I had always respected the man highly—thought highly of him.

Q. That was his greeting to you as a voter at the polls?—A. And then he was a man put there to keep the order; he was put there as a judge to preserve order and see that everybody was voted. It did not seem very like he was preserving order.

Q. How many negroes voted that day in Danville?—A. I am not able to tell you.

Q. Do you know how many of your people voted the Democratic ticket?—A. I don't. If any of them voted it, it is not their sentiment; I will say that.

WASHINGTON, D. C., *February* 18, 1884.

HENSE LAWSON (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. My home has been in Danville, but I came from Boston here.

Q. How long did you live in Danville prior to November?—A. About eighteen or nineteen years.

Q. How old are you?—A. Twenty-nine.

Q. Have you a family?—A. No, sir.

Q. Did you live in Danville in November last?—A. Yes, sir.

Q. State whether you had any controversy with Charles Noel on the 3d day of November.—A. Yes, sir.

Q. When did you see Noel on that day?—A. It was in the morning. I was coming down town and met him. I stepped one side to get out of the way of some ladies, and him and me run together, and I said, "Excuse me," and he said, "What in the hell do you say?"

Q. Repeat that remark again, and commence again and speak more clearly. You say you met him?—A. Yes, sir.

Q. Where?—Coming down Main street, in Danville.

Q. Well.—A. And I run up against Noel. Me and him both run together.

Q. Were you going in opposite directions?—A. I was going down and he was going up, and we run together. I told him "Excuse me," and he said "What in the hell do you mean, you damned black nigger," or something of that kind.

Q. What about meeting a lady there?—A. I was getting out of the way of the lady.

Q. Well, what about the lady?—A. I was getting out of the way of the lady.

Q. Very well.—A. And me and Mr. Noel run together, and I told him "Excuse me."

Q. Who was the lady, do you know?—A. I don't know.

Q. Was she white or black?—A. She was white. There were three of them coming out of the store together.

Q. And you were getting out of their way, and in that way run against Noel?—A. Me and Noel went up together.

Q. What did you say?—A. I say as I was going down Main street—

Q. I know, but what did you say when you first encountered him?—A. I told him to excuse me.

Q. And what did he say?—A. He asked me, "You damned nigger, what do you mean running against?" —

Q. Repeat that and speak louder.—A. He say, "You damned nigger, what do you mean be running up against me?" and that time Lewellyn and he—

Q. Repeat what he said and there stop.—A. When I first run against him?

Q. Yes.—A. I told him to excuse me, and he called me a damned nigger, and asked me what did I mean.

Q. Then what did he do?—A. I went on, and Davis said to me "Go on," and he hit Davis, and Davis knocked him out in the gutter twice.

Q. Who is that?—A. Davis Lewellyn.

Q. He hit Davis?—A. And Davis knocked him out in the gutter twice.

Q. Did you pass on?—A. I went on, and that evening he was going down the street——

Q. Just wait a moment. Where did you go from there?—A. I walked on from there about 50 yards, I guess.

Q. Did Lewellyn join you again?—A. Yes; me, and him went on down town.

Q. When next did you see Noel that day?—A. I saw him going down street in a buggy, I think it was Mr. Holland's buggy, and he kept looking back, and I told Lewellyn to watch out, "That fellow is coming back to tackle you."

Q. You speak too fast. What did you say to Lewellyn?—A. I told him to watch out, that fellow was going to tackle him that attacked him in the morning, and then this fellow run up and hit me two licks with a pair of knucks.

Q. Was he in a wagon?—A. No, sir; he got down from that wagon in front of the opera house.

Q. Was that the time that he met you in the wagon?—A. I didn't say wagon, I said buggy.

Q. Did he get out the buggy?—A. He got out at the opera house and I told Lewellyn to look out.

Q. Well, what occurred in the street when you met him in the buggy?—A. He kept looking back, and I spoke to Lewellyn and said, "That white feller is coming back to tackle you about what happened this morning."

Q. Where did you and Lewellyn go, then?—A. He went in front of the opera house where speaking was.

Q. Where did he leave his buggy?—A. He left it there.

Q. How soon after that did he come back?—A. About three minutes; didn't have far to go; right down street about eight doors.

Q. What occurred then?—A. I had my face towards Lewellyn, and he just run up to me and hit me with a pair of knucks twice.

Mr. VANCE. It is not worth while to continue this examination, so far as I am concerned. I can't hear a word. Talk a little louder.

By the CHAIRMAN:

Q. When Noel came back after he went to leave his buggy at the opera house, you say he came up; what did he say to you?—A. He didn't say a word; just hauled off and struck me.

Q. What did you say he struck you with?—A. A pair of knucks.

Q. What do you mean by a "pair of knucks"?—A. Something to put on a man's fingers—go over his fingers.

Q. What were they made of?—A. I couldn't tell; I know it was a pair of knucks.

Q. Over his fist?—A. Yes, sir; they may have been made of iron; I couldn't tell.

Q. Where were you standing?—A. I was standing on the street—three of us together.

Q. Who was with you?—A. Davis Lewellyn and James Love.

Q. Was it on the street or sidewalk?—A. Right on the street. I didn't have my face towards him at all. I had my face towards Lewellyn.

Q. But he struck you?—A. Yes, sir; struck me twice.

Q. Who was with Noel?—A. A feller named Lea. I know him. After Noel had hit me twice——

Q. Hold on, before you say what he did. Who else, if any one, was with Noel?—A. There were several white gentlemen. I don't know how many there was. I didn't know them.

Q. You don't know who they were?—A. But Lea was closer to Noel than any one else. He came up with a pistol in his hand.

Q. Had Noel any weapon?—A. He didn't have anything but knucks as I know of.

Q. Did you see the pistol?—A. I saw Lea's pistol.

Q. Well, now, what did Lea do?—A. Lea cocked his pistol in my face and says, "Stand back; I will shoot the last one of you damned nigger's heads off."

Q. "Stand back; I will"—what is it?—A. "Shoot the last one of you damned nigger's heads off."

Q. And how many blows did Noel strike you?—A. Noel then struck me three times; struck me right here on the head. [Indicating.] There's the place on my head where he struck me; and I caught him by the neck and I hit him once, and at that time all the whites run up with pistols in their hands, several of them; but I know Lea particularly more than any one else. He had his pistol cocked.

Q. You say you caught him by the neck; what occurred then? Repeat that again.—A. Then Lea run up with his pistol cocked right in my face, and several other men came out of the insurance office of Woolfolk & Blair, I think.

Q. There was a man standing at the door of the insurance office with a gun; who was he?—A. I don't know particularly who it was. They were handing out guns right there then.

Q. At that time?—A. They were handing guns out of the office.

Q. Well, after these blows were struck, what did you do; were you separated?—A. I was separated, and these white gentlemen came up the street, and I went in Paxton's jewelry store, between Miller & Brown's, and up that way where hardly anybody went, and I struck Union street and went on down.

Q. And got out of the way?—A. Got out of the way.

Q. To go back a little. Now, when Noel passed you in the buggy, did you say anything to him?—A. I did not; did not open my mouth to him.

Q. Are you certain of that?—A. Yes, sir.

Q. Repeat again what he said to you or Lewellyn.—A. When he was going down in the buggy?

Q. Yes.—A. He didn't say a word; kept looking back.

Q. After he passed, did you expect him to return?—A. Well, looking back, of course him and Lewellyn having had a row in the morning, I expected him to come back, and I told Davis at the time to watch out, or something of the kind—to expect him back.

Q. Did you mention that expectation to any one else?—A. None but we three going down the street.

Q. You three?—A. There was no one but we three together there.

Q. There was no one else in the crowd that was with you in any way, or that you had talked with about this fuss?—A. No one but just we three.

Q. But there were other people on the street?—A. Yes, sir; people passing back and forward on the street. They were not thinking anything of the kind, I reckon.

Q. What were they, white or black?—A. White and black.

Q. After you went away from this affray, where did you go?—A. When I went away from the affray, I went to a friend of mine. I went up there and staid at the house that night. I was afraid to go down that night. It was close to where I roomed at—right upstairs there.

Q. Did you hear the firing?—A. Yes, sir.

Q. Where were you then?—A. I was out from it about 20 yards, I guess.

Q. Near by, then?—A. Yes, sir; across the street, close to where the firing was.

Q. How long did you stay in Danville after that?—A. I staid in Danville about a week after that. I didn't go out in the street. I was in a room all the time. They gave me good advice not to go out.

Q. Why were you in the room? Why didn't you go out?—A. I was scared to go out. The colored fellows there told me they was going to take my life, and all that; different fellows.

Q. You were told you were in danger?—A. Yes, sir; I was. After that I went about 25 miles from Danville, up to my aunt's, and staid there four or five days, and after that I went to Boston, Mass.; telegraphed my mother I was going to Boston, and she sent me money and I went on to Boston.

Q. Then your mother lives there?—A. My mother is in Boston, Mass.

Q. Where have you been ever since?—A. I have been in Boston.

Q. Ever since?—A. Yes, sir.

Q. What have you been doing in Boston?—A. I haven't been doing anything in particular. I have never had any regular job there at all, it has been so poor.

Q. I will ask you whether you said to Mr. Noel, or to any one, "By God, here I am?"—A. I did not.

Q. You are certain you said nothing of that kind?—A. I didn't say anything to Mr. Noel at all.

Q. When Noel came back, didn't he say anything to you?—A. He didn't say anything; just hit me. I had my face turned toward Lewellyn, and he just hit me.

Q. Did you see Lea coming?—A. Yes, sir; and I told Lewellyn to watch out.

Q. Did he say nothing to you?—A. Didn't open his mouth.

Q. Are you sure of that?—A. Yes, sir.

Q. Didn't he ask you if you were the man who had called out to him?—A. No, sir; he did not.

Q. How did you know he had knuckles on?—A. I saw them on his hand. They were either brass or iron, one; they were colored.

Q. Where did he strike you?—A. He struck me right here. [Indicating.] He didn't give me but three blows.

Q. How much taller is he than you?—A. I don't know exactly how much taller, but he is taller any way.

Q. What is your height?—A. I don't know exactly; I couldn't tell you exactly my height.

Q. Well, I want you to be measured. I want to know your height and weight. Do you know how much you weigh?—A. Not exactly. I couldn't tell exactly how much I weigh now.

Q. Well, I want you to ascertain that.—A. Yes, sir.

Q. Were there any marks left upon your face? How much did he hurt you?—A. This eye [indicating] was closed about two days.

Q. The left eye?—A. Yes, sir. Closed about two days.

Q. Did he draw blood anywhere?—A. He bruised my head. I couldn't see the bruises, but other persons saw them.

Q. Did he draw blood?—A. From my head? No, sir.

Q. Did you bleed anywhere?—A. I bled from the corner of my eye and from my nose.

Q. How many blows did you receive from him?—A. I received three.

Q. What blows did you give him in return?—A. I caught hold and

grabbed him on the collar and hit him one lick ; at that time Lea run up with his pistol.

Q. Did you fight back any more than that ?—A. No, sir ; I just went over to Paxton's jewelry shop.

Q. What effort was made by the colored policemen there to separate you ?—A. Bob. Adams run up, a colored police ; he said he was on duty, or something of the kind, and I heard the white people cuss him ; I turned right off the best way I could.

Q. Did he have a pistol in his hand ?—A. I didn't see any pistol in his hand.

Q. But you heard him come up and say something ; what did he say when he came up ?—A. He come up and spoke to some one, I am not sure ; I saw him come up ; tried to separate the fuss ; asked what had occurred, and these white people said something to him, I don't know exactly what they said ; any way, I just turned my back to it to leave.

Q. You left as soon as you could ?—A. As soon as I could.

Q. Did Lea say anything before you struck Noel ?—A. Before I struck Noel ? No, sir.

Q. What did he say, then, after you struck Noel ? Give his exact words.—A. He just came up with his pistol cocked in his hand and said to stand back.

Q. To stand back ?—A. Yes, sir.

Q. Where was the pistol pointed ?—A. The pistol was right up in my face after I grabbed Noel.

Q. Up in your face ?—A. Yes, sir.

Q. Did it touch you ?—A. No, sir ; didn't touch me at all ; I got out as soon as I could ; I just turned back and went off.

Q. Did you see any one try to get the pistol away from Lea ?—A. No, sir, I did not.

Q. You were anxious to get away and got away ?—A. Yes, sir.

Q. Did you ever have any difficulty with Noel before ?—A. No, sir, I didn't.

Q. Did you know him ?—A. Yes, sir.

Q. How did you know him ?—A. I just know him by sight.

Q. You had never spoken with him ?—A. No, sir.

Q. Had no difficulty with him ?—A. No, sir ; never did in my life.

Q. Before the meeting on the street that day ?—A. No, sir.

Q. Do you know Mr. Taylor ?—A. I know some Taylors in town. I don't know which one you speak of.

Q. W. R. Taylor, one of the witnesses here. Do you know him ; one of those who were present ? Had you ever seen him before ?—A. If his home is in Danville, I know him.

Q. Had you any controversy with him at any time before this affair ?—A. No, sir.

Q. Never had ?—A. No, sir.

Q. Don't you remember meeting Mr. Taylor two days before when he had a gun—carrying a gun—do you remember anything of that kind ?—A. I don't.

Q. Did you ever make motions or signs at Mr. Taylor of an insulting character ?—A. No, sir.

Q. You had never had any quarrel or controversy with Mr. Taylor ?—A. No, sir.

Q. You now know him, do you, so you can identify the man ; Mr. William R. Taylor, a tobacconist ?—A. I know his face.

Q. But you don't know him further than that ?—A. No, sir.

Q. You never had any colloquy with him or controversy with him, had you?—A. No, sir.

Q. You are certain of that?—A. Yes, sir.

Q. I will ask you whether, after Noel passed you going in a buggy, you collected a crowd around?—A. I did not; just three of us came on down town.

Q. How far were you standing when he came up and struck you, from where he was in the buggy?—A. In the buggy he went to the opera house?

Q. And where were you standing; where had you gone; had you moved?—A. We were walking right on down the street.

Q. Towards the opera house?—A. Yes, sir; we were going on down.

Q. You three?—A. Yes, sir.

Q. And he passed you in the buggy and went to the opera house, and then came right back?—A. Yes, sir.

Q. You were just passing along the street the same way that he was?—A. Yes, sir.

Q. Did you follow him down?—A. No, sir; he passed me, and I spoke to Lewellyn to watch out for him; Lewellyn had it first; but I said, "Watch out, you are going to get in a fuss," or something of that kind.

Q. You say you had gathered no one or mentioned the subject to no one except you three?—A. No; we three were just walking on down the street. I was not expecting any lick at all.

Q. Had you any arms?—A. No, sir; I hadn't.

Q. No pistol on your person?—A. No, sir.

Q. Had Lewellyn any?—A. Lewellyn didn't have any either.

Q. Do you know that?—A. Yes, sir.

Q. Had the third man who was with you any pistol?—A. No, sir; neither of us armed at all.

Q. Were you expecting a controversy or fight that day?—A. No, sir; I was not.

Q. Had any notice been given you of any expectation of a fight?—A. No, sir.

Q. Or a controversy?—A. No, sir; there hadn't.

Q. What was your business there? What were you engaged at before this affair?—A. I was not doing anything particular at that time, but my regular business was bar-keeper. I stay at Nicholas & Hessberg's.

Q. You were not then engaged in anything?—A. Not at that time.

By Mr. VANCE:

Q. When you saw Mr. Noel that morning, and ran against him on the street, who was present beside your friend Davis?—A. James Love.

Q. Who is he, a white man or colored man?—A. Colored.

Q. You three were together when he passed?—A. Yes, sir; just we three.

Q. Well, you say that he turned and asked you, "What the hell do you mean, you damned black nigger," or something?—A. Yes, sir; something of that kind.

Q. And then he struck Davis?—A. Struck Davis. Davis told me to go on, and he struck Davis.

Q. What made him strike Davis?—A. Davis says to go on. I asked him to excuse me, and he struck Davis. I didn't strike him at all that morning.

Q. But Davis told you to go on?—A. Yes, sir.

Q. Told who to go on?—A. Me.

Q. And he struck Davis because Davis told you to go on?—A. Yes, sir, struck Davis; and Davis knocked him out in the gutter twice, I think.

Q. Davis knocked him out in the gutter twice?—A. Yes, sir.

Q. Did you tell him when he turned to you to know what you meant, that you were getting out of the way of a lady?—A. Yes, sir.

Q. You told him that?—A. Yes, sir.

Q. Didn't he then say, "That is all right?"—A. He called me a damned nigger. That is all he called me, and I went on.

Q. I didn't ask of you what he called you. I say didn't he say, "That is all right?"—A. No, sir; he didn't.

Q. Didn't he then start on himself?—A. He stood right in the same place and struck Davis.

Q. Well, let us get along a little slower. After those words about why you run against him, didn't he start on himself?—A. No, sir; he did not.

Q. And then didn't Davis say something to him?—A. No, sir; Davis spoke to me.

Q. Didn't Davis say, "It aint all right; what the hell are you going to do about it?"—A. No, sir; he didn't.

Q. Do you know any good reason why he didn't strike you, the man who had insulted him, instead of striking Davis?—A. No, sir; I don't.

Q. Is Davis as big a man as you, or bigger?—A. We are both same size, I guess.

Q. Did you strike Mr. Noel then?—A. No, sir; I did not. Me and him didn't have no words in the morning.

Q. Did Love strike Noel?—A. No, sir.

Q. Nobody but Davis, and Davis knocked him back into the gutter twice?—A. Yes, sir.

Q. What did he do then?—A. He went right on down street then.

Q. Noel?—A. Yes, sir.

Q. He went on down street. Now what time was it when Mr. Noel passed you riding in a buggy?—A. I think it was about 4 o'clock as near as I can get at it; don't know the exact time; it was about 4, I guess.

Q. And where were you standing when his buggy passed?—A. I was walking. I was going down street.

Q. How long after the first trouble?—A. It was not many minutes. He just went to the opera house. I was about five or six doors from the opera house then.

Q. I say how long after the first trouble was it when he passed you going down street?—A. When the first trouble occurred it was about 12 or 1, I guess.

Q. This was some three or four hours afterwards?—A. Yes, sir.

Q. And you were in the middle of the street, were you, or on the sidewalk?—A. On the sidewalk, walking right down, just us three.

Q. You were on the sidewalk, he was in the street in his buggy?—A. Yes, sir.

Q. How did it come that you spoke to him? Why did you speak to him?—A. I didn't speak to him at all.

Q. Who of your company spoke to him?—A. No one in our crowd. There was just we three. Neither one of us didn't speak to him.

Q. How was his attention attracted to you? You said he looked at you.—A. He was looking back in his buggy.

Q. What made him look back?—A. I told Davis to watch out. I was not studying about his having anything against me.

Q. Did he stop his buggy at all?—A. No, sir; he just kept on down street and kept looking back.

Q. You told Davis to watch out he was going to fight him, or something of the kind?—A. Yes, sir; from what happened in the morning.

Q. What made you think he was going to do that when he kept driving right on and didn't stop?—A. I saw him looking back.

Q. By his looking back you thought he was going to fight?—A. Yes, sir.

Q. But he kept right on?—A. Yes, sir.

Q. Well, you saw his buggy stop in front of the opera house, didn't you?—A. Yes, sir.

Q. And you kept right on?—A. I didn't go by the opera house.

Q. I didn't ask you whether you went by the opera house, but you kept on walking down the street?—A. Yes, sir.

Q. Toward where the buggy had stopped?—A. Yes, sir.

Q. And you were walking right into what you thought was going to be a fight?—A. No, sir; I didn't think anything of the kind.

Q. Didn't you think there was going to be a fight from his looking back?—A. I told Davis to watch out; I didn't think he was going to fight me at all.

Q. You told Davis?—A. Yes, sir.

Q. And when he got out of the buggy you still thought strongly about that, didn't you?—A. Yes, sir.

Q. You still kept walking down?—A. Yes, sir.

Q. Right towards the buggy?—A. Yes, sir; I was going right on down towards the buggy.

Q. Now how many people followed you as you walked on down the street?—A. Just we three together.

Q. There were some others, were there not?—A. Some passing up and down.

Q. Well, there were some other colored people in the street that followed on down towards the buggy, were there not?—A. No, sir; there wasn't.

Q. No one? How many were on the street when Noel came back with his two friends Taylor, and Lea?—A. Just we three together; just as when we first started.

Q. How many colored people were standing around near you?—A. I don't know exactly; there were about ten, I guess.

Q. About ten; something like that. How many men were with Noel?—A. Noel and several more white fellows came on together.

Q. How many?—A. I don't know exactly.

Q. Was there more than Taylor and Lea?—A. Yes, there was.

Q. Who were they?—A. I don't know.

Q. How many do you think there were?—A. I don't know exactly; several men in the street.

Q. Come within one hundred of it, if you can. Was there a dozen with him?—A. Yes, sir.

Q. A dozen with him when he came up?—A. Yes, sir.

Q. They were all armed and flourishing their revolvers, weren't they?—A. I didn't see any one have pistols, except Lea and Hatcher.

Q. Hatcher was there, was he? Did you see Lea with a pistol?—A. Yes, sir.

Q. You didn't see Taylor with a pistol, did you?—A. No, sir; I didn't.

Q. Did you see the policeman, Adams, with a pistol?—A. No, sir.

Q. Did Noel say anything to you or to Davis when he came up?—A. No, sir; he just came up and struck me.

Q. Just came up and struck you?—A. Yes, sir.

Q. Without a word? Why did he strike you instead of Davis?—A. I don't know, sir; him and Davis had a falling out in the morning, and I wasn't expecting anything of the kind myself.

Q. Did he ask you why you were hollering to him on the street?—A. No, sir.

Q. And he didn't say one word?—A. No, sir; him and Lea was together.

Q. How long did the fight between you and him last?—A. It was not many minutes.

Q. Give us an idea.—A. It was not more than two minutes, I reckon.

Q. It was not more than about two minutes?—A. Yes, sir.

Q. Did you see a struggle between Adams and some white man, Mr. Lea, for instance?—A. I saw Robert Daniels coming up in the crowd.

Q. Well, about the time the fight was over between you and Noel, did you see Lea and Adams in a struggle?—A. No, sir; I did not. I just turned my back and went up the street.

Q. Did you hear the pistol fired?—A. Yes, sir.

Q. Where were you then?—A. I was out of the way then.

Q. You were marching off then?—A. Yes, sir.

Q. Well, when Mr. Lea drew his pistol did he tell you to stand back or the crowd to stand back?—A. He pointed the pistol right in my face.

Q. Oh, well, Noel was between you and him, wasn't he?—A. Yes, sir; but—

Q. Noel stepped in to fight you, and Lea was at his back, wasn't he?—

A. That was after Mr. Noel hit me three licks and I hit him once.

Q. That was after he struck you three licks that Lea pointed at you?—

A. Yes, sir.

Q. Then Lea came with his pistol in his hand?—A. Yes, sir.

Q. And the colored people rushed up?—A. No, sir; the whites made them stand back.

Q. Why did the whites make them stand back if they didn't rush up?—A. They came towards me, and the whites made them stand back.

Q. Now, was not that the way Lea had his pistol when he pointed his pistol; it was at the crowd that was rushing up, wasn't it?—A. Yes; white and black.

Q. Didn't Mr. Lea say there was going to be a fair fight without any weapons, and they had to stand back?—A. No, sir; he didn't make use of any expression of that kind.

Q. Do you swear he didn't?—A. Yes, sir.

Q. Or do you swear you didn't hear it, which?—A. I didn't hear it.

Q. Do you swear that Mr. Lea had knucks on?—A. Mr. Noel; I will swear Noel had knucks.

Q. And that he struck you with brass knucks?—A. Knucks; I don't know whether they were brass or not.

Q. Well, what they call brass knucks—those things fixed on the fingers?—A. Yes, sir.

Q. Did he leave any scars on your face?—A. Yes, sir, on my eye here.

Q. Where else did he strike you on the face?—A. He struck me twice on the eye and once on the head.

Q. How long was it that you couldn't see out of your eye?—A. It was about two days, I guess.

Q. There is no scar there now, is there?—A. No, sir, not much; a small place, not much.

Q. Well, brass knucks would leave a pretty big scar about the eye,

wouldn't they?—A. I don't know as to that; according to how you hit a man.

Q. Well, Noel was a big, stout, strong-armed man, wasn't he?—A. He was quite a tall man, but not very heavy, I guess.

Q. Well, he could strike a blow hard enough with a pair of brass knucks to make a mark on a man's cheek or eyebrow, couldn't he?—A. He looked like he might do it, according to his size.

Q. Where did you go after that—after you had the fight?—A. I went through an alley to Paxton's jewelry store.

Q. You didn't stay there until the final row took place?—A. No, sir; I didn't stay there at all; I just left.

Q. Whereabouts were you when you first saw Noel pass along in the buggy?—A. When I first saw Noel?

Q. Yes; not in the morning, but when he was in his buggy going out of town; where were you when you saw him?—A. He was coming down town to the opera house; he was not going; he stopped his buggy right in front of the opera house.

Q. Well, you don't know where he started to go, do you?—A. No, sir, I don't.

Q. Whereabouts were you standing when Noel passed you on the street?—A. I wasn't standing; I was walking.

Q. Whereabouts were you walking when Noel passed you on the street?—A. I was walking right down Main street, in Danville.

Q. Whereabouts on Main street, in Danville?—A. I just started, and going right on down.

Q. Where were you on Main street when Noel passed you in the buggy?—A. When Noel passed me?

Q. Yes.—A. I guess I was near about Paxton's silversmith shop.

Q. How far is that from the opera house?—A. It is about eight doors, I guess.

Q. That don't give us any idea; how many yards.—A. I couldn't tell you exactly; I don't know that; I couldn't tell you how many yards.

Q. Well, you have some idea.

The CHAIRMAN. You mean by eight doors, the width of the store, I suppose?—A. I mean the number of doors.

By Mr. VANCE:

Q. The number of doors?—A. Yes, sir.

Q. Haven't you got this a little mixed up? Didn't you first meet Noel coming in a buggy; and after he passed you didn't he then turn around and go back the other way?—A. No, sir; he did not.

Q. You swear that he did not?—A. Yes, sir.

Q. That he didn't turn the buggy around in the street after he saw you and go back towards the opera house?—A. No, sir.

Q. You are certain of that?—A. Yes, sir.

Q. Now, how far was it? You have said from where he passed you to the opera house was about 50 yards.—A. He was just about 50 yards, I guess, from Paxton's jewelry store.

Q. Now, you were walking on the sidewalk, and he was driving in a buggy. How far from where he passed you was it to Woolfolk & Blair's office, where the fight took place?—A. The fight took place, I think, at Woolfolk & Blair's office.

Q. I know; but how far from where he passed you is that?—A. It is about six or seven doors, I guess.

Q. Now he drove on; was he going at a walk or a trot?—A. He was trotting.

Q. He drove on to the opera house and stopped his buggy in front of the opera house and got out and went upstairs, didn't he?—A. I don't know whether he went upstairs or not.

Q. Well, he got out and went into the house?—A. He got out; I can't tell where he went, and him and Lea came on up together.

Q. Well, he got out and disappeared?—A. I might have been looking across the street; I was not thinking where he was until he came right up to me and hit me.

Q. Lea and Taylor were not with him when he was in the buggy, were they?—A. No, sir.

Q. Well, he got out and went somewhere and got Lea and Taylor, didn't he?—A. I suppose so; I don't know.

Q. How did you know that he stopped at the opera house?—A. The buggy stopped there.

Q. Did you see him get out? Didn't you see him go anywhere?—A. I didn't see him go anywhere in particular.

Q. Where did you see him go in general?—A. I didn't see him go anywhere in particular.

Q. How long was it after that that you saw him coming up the street with Taylor and Lea?—A. About two to three minutes.

Q. What were you doing at that time?—A. We were walking on down street.

Q. If you were walking down street, could you not have passed the opera house and been gone out of sight before he came with Taylor and Lea?—A. No, sir.

Q. From where he passed you to Woolfolk's office, how far do you say it was?—A. I suppose about six or seven blocks.

Q. Six or seven blocks?—A. I didn't say blocks—doors I mean.

Q. How far in feet?—A. I don't know exactly.

Q. Well, give us some idea as near as you can.—A. About 40, I guess—something of that kind.

Q. Now, from where he passed you to the opera house, you say is 50 yards, that is 150 feet, and then from the opera house back to where he met you is about 100 feet, isn't it?—A. I don't know exactly; it's not that far, I guess.

Q. Well, is it something like that?—A. Yes; I think it is something like that; I don't know exactly.

Q. That will make 250 feet that he moved while you moved only 40 feet?—A. No, sir; I don't think it is that far.

Q. Well, say just as you think then.—A. From where we met?

Q. From where he passed you to the opera house you say was about 50 yards, and from where he passed you to in front of Woolfolk & Blair's office was about 40 feet?—A. Yes, sir; something like that.

Q. Now he passed that 150 feet and came back about 100 feet more, and you and your friends hadn't moved more than about 40 feet?—A. Yes, sir; something like that.

Q. Now, what were you lounging and leisuring in that way for?—A. In what manner?

Q. Walking so slow.—A. We didn't have a thing to do, just walking along smoking.

Q. Well, an ordinary pace would have taken you away beyond the opera house by that time, wouldn't it?—A. I don't know but that we stopped as we came on; we were going very slow.

Q. Yes, very slow; and you don't know but what you stopped?—A. No, sir.

Q. And you expected from the moment he looked back that there was

going to be a fight, and you marched on slowly toward the man who was to fight?—A. I expected him and Lewellyn was going to have a fuss.

Q. That is the reason you walked so slow, wasn't it?—A. No, sir.

Q. That is not the reason you walked in that direction, was it?—A. No, sir.

Q. Where were you going?—A. We was going down town; no particular place myself. I was just coming on down with two other young men.

Q. Just idling around?—A. Yes, sir.

Q. Had nothing to do?—A. Yes, sir.

Q. You were out of employment? Did you have any weapons?—A. No, sir; I didn't.

Q. None at all? Did Lewellyn have one?—A. No, sir; I didn't see any.

Q. How do you know that Lewellyn didn't have any?—A. I say I didn't see any.

Q. Didn't he usually carry a pistol?—A. No, sir.

Q. Didn't you usually carry one there?—A. No, sir.

Q. You didn't usually carry one? Why did you leave town?—A. Why did I leave town?

Q. Yes.—A. I thought my life was in danger and it was best for me to leave.

Q. Why was your life in danger any more than any other colored man in the place?—A. They are all in danger there.

Q. They are all in danger there every minute, arn't they?—A. Yes, I think so; anyway, I left there and don't expect to go back.

Q. Where did you go when you left there?—A. I went to Boston, Mass. The first place I went up to Reedsville, 25 miles, I guess, from Danville.

Q. From there you went to Boston?—A. Yes, sir.

Q. And you are not going back to Danville any more?—A. I don't think I am.

Q. Now, how did it come that you and Lewellyn kept together all day after the first fuss in the morning?—A. Me and Lewellyn were particular friends and were together all the time.

Q. You were particular friends and were together all the time?—A. Yes, sir.

Q. And he staid with you and you were with him from that morning about twelve, when the first trouble occurred, until the fight? What became of Love?—A. Love was with us. We were all together.

Q. Did he stay with you too?—A. Yes, sir.

Q. None of you had any weapons?—A. We had not, that I know of. I didn't have any.

Q. But you did expect there would be a fight?—A. No, sir; I didn't. After I saw him coming down street in a buggy I expected he and Davis were going to fight. I didn't expect me and him would have any trouble at all.

Q. I mean you expected a difficulty with your friends?—A. With Lewellyn.

By the CHAIRMAN:

Q. Mr. Lawson, you say you felt yourself in danger. Is that the reason why you left?—A. Yes, sir.

Q. Did you see the dead men? Do you know the number that were killed before you left?—A. No, sir; I didn't have many doors before I got to the alley.

Q. Well, you knew what occurred after this scuffle?—A. Yes, sir.

Q. Did you think that was sufficient reason for fear?—A. Yes, sir.

Q. You say some one advised you to go away; who was that?—A. There were several fellows there, their names I don't know exactly; even the man that I had been working for about 15 years, a white man, advised me to go away.

Q. What is his name?—A. Nicolas. He didn't advise me exactly, but he told some young men to tell me that I had better go off.

Q. Governor Vance wonders that you walked so slowly. Did you have any expectation of a fight?—A. No, sir; we were just walking on down the street slow—didn't have a thing to do—just walking slow.

Q. Smoking and doing nothing?—A. I was not studying about myself. Noel hit me in the eyes. He would never have hit me like he did if I was expecting it.

Q. When Noel passed you and went to the opera house, did you think anything more about his return?—A. I thought he was going to return and hit Davis. I was not thinking anything about his hitting me, and I had my face turned towards the store when he hit me.

Q. You didn't see him; were not looking for him with any expectation he was going to strike you?—A. I was not studying about his hitting me. I thought he was going to hit Davis.

DAVIS LEWELLYN sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. Were you there on the 3d of November last?—A. I was.

Q. Do you know Mr. Noel?—A. Well, I had seen him. I knew his face, but his name, personally, I did not know.

Q. Well, you know now who he is?—A. I know who he is now, hearing his name called; I may have heard it called before and not been paying attention to it.

Q. Do you remember an occurrence in the forenoon or about the middle of the day when you and Lawson, the last witness, met Mr. Noel?—A. Well, we were walking down street from up by the corner where Greenwald's clothing store used to be, walking very slow, Noel coming up the street, and this young man, Lawson, getting out of the way of a lady and happened to strike against Mr. Noel's foot, happened to strike against his heel, and he says, "What in the hell do you mean," and Lawson says, "I am getting out of the way of that lady, excuse me," and I say, "Go ahead, Hense, don't ask any pardon," when he struck me, and I knocked him out in the gutter twice.

Q. He struck you first, did he?—A. Yes, sir.

Q. Where?—A. He struck me somewhere in the head; he being taller, I guess I could catch a lick; he didn't hit me very hard; then he turned and goes down street.

Q. What time in the day was that?—A. I suppose that was about 12 o'clock, or about 1; I think it was as near 1 as I can get at it, because I walked down to young Lawson's room and let him off, and went to my dinner.

Q. Do not go so fast, and just answer my questions. Now, were there ladies coming out of the store there?—A. I think they was coming out of the store or out of a little alley-way there.

Q. Well, there were ladies there at that time!—A. Yes, there were ladies there at that time.

Q. And it was to avoid getting up against them that Lawson hit Noel?—A. It was to avoid that?

Q. Getting out of the way, I mean.—A. Yes; I guess that is what it was.

Q. Now, what was the remark you made when Lawson excused himself that way?—A. After he had said that—after he had said “What do you mean,”—something, I forget it; but I called it a moment ago, as near as I could think of it.

Q. What was it that Noel said?—A. I think it was a “God damn nigger,” or “What in the hell do you mean, you God damn nigger.”

Q. It was some such expression as that?—A. Yes, sir.

Q. What was it you said to Lawson?—A. I told Lawson to go ahead, as he had begged his pardon.

Q. Go ahead, as he had begged his pardon; then what occurred? After you said that, what next occurred?—A. He said something, I don't know what it was, and struck me.

Q. Can you state the substance of what he said?—A. I could not say what he said; I did not hear him good, as I was not paying attention, at least I was not thinking about it much.

Q. The next thing you can state he struck you?—A. Yes, sir.

Q. What did you do?—A. I struck him back, and knocked him in the gutter twice.

Q. Did you knock him down?—A. No, sir; just knocked down in the gutter.

Q. Off the sidewalk?—A. Yes, sir.

Q. He then came back to you?—A. Yes; came back every time.

Q. And you knocked him in the gutter a second time?—A. Yes, sir.

Q. Was there anything said then?—A. No, sir; he just turned out and went down street, or goes up one; I don't know particularly which. I expected a mob to come up.

Q. That is all that occurred then, is it, that you can state?—A. Yes, sir.

Q. What did you strike him with?—A. I struck him with my fist.

Q. From that time where did you and Lawson go?—A. From the time he struck me we continued to walk down street, and got near to his room.

Q. To whose room?—A. Lawson's room; and I left him, and left there and went across to my dinner.

Q. You separated from them and went to your dinner?—A. Yes, sir.

Q. Then this occurred before dinner?—A. Yes, sir; it was a very short while; I eat my dinner.

Q. How long were you at dinner?—A. I could not tell exactly how long it was; sometimes I eat quicker than others. I don't know exactly what time it was.

Q. Where did you next see Lawson?—A. I think they were going up street, and I caught up with them.

Q. Going up Main street?—A. Yes, sir; going back up Main street toward the corner.

Q. In the opposite direction from where you were walking at the time this occurred?—A. Yes, sir.

Q. You overtook him as he was going up street?—A. Yes, sir; him and James Love.

Q. Had you seen Love that day before that?—A. I had seen Love I suppose about 10 o'clock; that is, about the time he came out of the factory.

Q. Well, Love was not with you when this first occurrence took place?—A. Yes, sir.

Q. He was with you?—A. Yes, sir.

Q. At the time you and Noel had the fight?—A. Yes, sir; but he was walking a little behind.

Q. He did not take any part in it?—A. No, sir; he didn't say anything.

Q. When you went out after dinner you overtook Lawson and Love, if I understand you?—A. Yes, sir.

Q. Going up street?—A. Yes, sir.

Q. Where did you go?—A. We were going up home to put on some clothes to come back down town and go with some girls.

Q. Very well; where did you go?—A. After we went up we concluded to walk down street slowly, smoking.

Q. You were smoking?—A. Yes, sir; we walked very slow; of course a man could walk very fast; walked down to the end of the block and back again; we walked very slow; might have stopped some; I don't know; talking and joking as usual.

Q. Where did you next see Mr. Noel?—A. Well, we walked down, I suppose, until we got in front of Woolfolk & Blair's insurance office; yes, I know we were there; and Noel came down in a buggy and looked back, and Hense says, "Davis, there is the fellow you had a little row with this morning; watch him, I expect he will pick a fuss with you." I says, "Oh, go away."

Q. He was driving down street, you say?—A. He was driving down street.

Q. On a trot?—A. On a trot.

Q. Did you notice where he went?—A. I guess he could not have gone any further than the opera house; I saw a buggy stand there; not taking very much notice of the buggy to see whose it was.

Q. You did not see him when he got out of his buggy?—A. I might have seen him when he got out of his buggy; I was not noticing him particularly.

Q. Did he say anything to you when he passed you?—A. No, sir.

Q. Did you say anything to him?—A. No, sir.

Q. Did Lawson?—A. No, sir; he did not.

Q. Did Love?—A. He did not.

Q. Now, how soon after he passed did you see Mr. Noel again?—A. About two or three minutes him and George Lea—George Lea has got a side beard, kind of red. I suppose there was about eight or nine fellows come on back up there, but I could not say positively that I saw more than two pistols.

Q. You saw Noel and Lea; was there any one with Lea?—A. There was Noel, Lea, and another man, and there was a good many with them; I could not say positively how many there were.

Q. Cannot you give the names of any?—A. I can tell you Lea and Noel.

Q. Cannot you give the names of any others?—A. I don't know as I could.

Q. Where were they when you first saw them?—A. They were about opposite; right in front of John M. Johnson's hardware store.

Q. How far was that from where they passed you?—A. When the fellow first came in the buggy it was about in front of Paxton's.

Q. How far is that?—A. How far from where?

Q. From where you were when they passed you. How far were you

from that spot when they came back and met you again; how far had you got down street?—A. After Noel had passed in the buggy?

Q. Yes.—A. I don't know; I suppose not very far.

Q. Tell as near as you can.—A. I don't know; I suppose some three or four doors; it might have been some more, might not have been as many; I don't know exactly.

Q. Now, what occurred when Noel and Lea came up?—A. Well, I suppose Hense was looking round, and he says, "Davis, here comes that fellow and some other fellows with him." I says, "He don't want me," just like that. He says, "You better look out; that fellow will beat you, I expect."

Q. That is what Lawson said to you?—A. And I was standing with my hands in my side something like this [indicating], and he came up and Hense was sort of looking like I was looking over here, and he came up and struck him in the eye; I don't know which eye; I think it was the left.

Q. Where were you standing?—A. I was standing just about as far as to the Senator.

Q. Three or four feet from him?—A. Yes, sir.

Q. Where was Love?—A. I suppose Love might have been standing out in the street; I didn't pay any particular attention.

Q. Where was Lea when Noel struck Lawson?—A. Lea stood back just like that, and there is Lawson [illustrating]. Lea says, "Stand back, there shan't a man touch him; I will blow his damn brains out." Mr. Lea, I says, that ain't fair——

Q. Wait a moment. Did Lea have any weapons?—A. Yes. He had a pistol right in my face; he had had it in Lawson's face, and put it in my face, but I didn't mind; I knew he was not going to shoot me.

Q. When Lea said that what did you do, if anything?—A. I did not do anything but stand and look on.

Q. How many times do you say that Noel struck Lawson?—A. He struck him two or three times; I couldn't remember the times. He may have struck him more.

Q. Did you see with what he struck him?—A. He had something on his hands. I took it to be a pair of knucks.

Q. You saw them, did you?—A. Yes, sir.

Q. You say there was something more than his hand?—A. Yes, sir.

Q. By knucks you mean things that fasten over the fingers?—A. Yes, sir; I suppose it was a pair of brass knucks; I call them all brass knucks; I don't know.

Q. Did you see Lawson strike Noel?—A. I think Lawson, after he got him by the collar, struck him once.

Q. Then the first thing Lawson did was to catch Noel by the collar?—A. Yes, sir.

Q. Did you notice whether Noel got him by the collar?—A. He continued to hit him.

Q. Didn't you notice whether Noel had hold of him?—A. Yes, sir.

Q. With one hand and struck with the other?—A. Yes, sir.

Q. Which hand did he take hold by?—A. I couldn't tell that.

Q. Did Lea say anything when Lawson struck Noel?—A. I could not say whether he said anything or not.

Q. Well, did he say anything during that fight between Lawson and Noel?—A. I couldn't say.

Q. What is the first thing Lea did when Lawson came up there?—A. He put his pistol up and said, "Stand back; if anybody puts his hand on him, he would blow his God damned brains out."

Q. And he held out his pistol as he said that?—A. Yes, sir.

Q. Did you see any other one who came up there with Noel have a pistol?—A. I saw a good many white people have pistols then. Everybody I saw, nearly, had a pistol.

Q. Did they exhibit them—have them out?—A. All of them had them out.

Q. Do you remember anything any other one said, except what Lea said?—A. I couldn't say what any of them said; but I think all of them made the colored stand back. Lea made them stand back.

Q. Who separated Noel and Lawson?—A. Policeman Adams, a colored man.

Q. Did you notice whether he had a pistol?—A. No, sir; he did not have any pistol.

Q. Did you have one?—A. No, sir.

Q. Did Lawson have one?—A. No, sir.

Q. Did you see any colored man there who had a pistol?—A. No colored at all.

Q. You saw no colored man with a pistol?—A. No colored man with a pistol.

Q. Where did Lawson go when they were separated?—A. I think Lawson went up street, and went through the alley by Paxton's; I am not sure.

Q. Well, he went away from there?—A. He went away from there.

Q. Did you see him again until that contest was over?—A. I didn't see him any more until that night about 9 o'clock.

Q. What occurred after they were separated, and Lawson had left?—A. A good many words were used from the whites ordering the colored off the street.

Q. State what was said, as near as you can.—A. The white people told the negroes, "Now, you all better get off the street. If you don't, I expect to kill the last one of you."

Q. You heard that said, did you?—A. Yes, sir.

Q. Do you remember whether the colored people said anything in answer to that?—A. I didn't hear any say anything.

Q. What next occurred after they said that?—A. Joel Oliver, captain of the Danville Grays, standing in front of me, said, "This is the God damn son of a bitch I laid across last night." I said I was not down town last night. He says, "Wasn't you? I beg pardon." I said, "You ought to retract; it is mighty hard for a man to take that." He says, "I beg pardon; that is a retract;" and I stepped across, and I heard somebody say, "Fire on them; God damn them, kill them;" and immediately they commenced firing, and I went up to an office.

Q. You had started, then, for the purpose of finding where Lawson was?—A. Yes, sir.

Q. And you heard that expression?—A. Yes, sir; just behind the crowd. And when they said, "Fire on them; kill the last God damned one of them."

Q. Was there any firing then?—A. The firing commenced in about half a minute, I guess, after that.

Q. From whom did the firing come?—A. Well, I heard the firing, and as soon as it come I got up and went.

Q. Were you where you could see who were firing?—A. If I had staid there, I might have seen the firing.

Q. But were you where you could see, or did you see?—A. No, sir; I couldn't see.

Q. Do you know who it was that said, "Fire on them;" do you know

whose voice it was?—A. I think it was either Mr. Hatcher or Mr. Lea—either one of them that spoke. I take it to be one of those.

Q. Did you go back there where the firing was?—A. No, sir.

Q. Where did you go?—A. I went right across the street about like that [indicating] from where they were firing, up in a little office where Dr.—I forget the fellow's name. It was a doctor's office (used to be), Wooden & Paths, I think, and Gillham's saddle shop. I went up there where the doctor's office used to be, and I staid there until the firing stopped. Only one or two pistols fired after that.

Q. Did you notice where the colored people went when the firing commenced?—A. They went in different directions.

Q. They ran, did they?—A. Yes, sir.

Q. Firing after they ran?—A. They fired after them; fired whilst they were running.

Q. You heard that?—A. Yes, sir.

Q. Where did you go from there?—A. I went from there down to the drug store, and came from there to Squire Jones's room.

Q. Well, you went from that locality to another part of the city?—A. Yes, sir.

Q. Did you go back again that afternoon or evening?—A. No more than I came by the crowd to Westerly Jones' office.

Q. Did you see any of the men that were killed?—A. I saw two that were killed. I saw Ed. Davis and Jerry Smith, who lived at Jackson's Branch.

Q. Were they colored men?—A. Yes, sir.

Q. Whom you knew?—A. I knew them.

Q. Were they single men, or men of family?—A. I don't know; I think Smith was a single man.

Q. Where was Smith shot, where did the ball hit him?—A. I did not take notice of that.

Q. Did you notice where the other man was shot?—A. I think he was shot in the head, from the way he had his coat over his head. I was coming up the street, and I was afraid they would shoot me, so I did not take notice.

Q. Now you have stated all you know of this occurrence, have you?—A. All that I know particularly.

Q. That is so far as you remember.—A. As far as I remember.

Q. How many shots do you think were fired in all?—A. I could not tell.

Q. You could tell something about it?—A. There was a good many shots; I took it to be about one hundred or more.

Q. Were the majority of them fired after the colored people ran?—A. When they told the colored people to stand back, they commenced firing, and I got out of the way myself.

Q. The moment they fired you say the colored people ran.—A. When they fired, they commenced falling back.

Q. Did they fire more guns or pistols after the colored people began to run away?—A. Yes, sir; they fired more after.

Q. Than they had fired before they started?—A. Yes, sir.

Q. They started as soon as there was any firing.—A. As soon as the orders were given, they commenced running. I was back of the crowd myself. I got out of the way.

Q. Well, you heard that order.—A. Yes, sir; I heard that order.

Q. You heard the order to fire.—A. Yes, sir.

Q. Where did you go that night?—A. When the firing took place?

Q. No, that night after the trouble was over, where did you go?—A. I went to Squire Jones's room.

Q. Where is Squire Jones's room?—A. It is right up over Pickett Scott's barber shop, just opposite Nicholas & Hesberg's bar-room.

Q. How long did you stay there?—A. I staid there, I suppose, about an hour.

Q. You spoke of finding Lawson. Where did you find him?—A. I went up to a lady friend's house of his, who he knew very well, from the city where he came, and he was there.

Q. Where did you stay that night?—A. I staid at home.

Q. Went to your own home?—A. Yes, sir.

Q. What was your business at that time of the year?—A. Well, I generally roll tobacco in the summer, but at that time of the year the factories commence closing, and I don't do anything until the season commences again.

Q. You work at the tobacco business then?—A. Yes, sir.

Q. Were you accustomed to smoke?—A. Yes, sir.

Q. Were Lawson and Love also accustomed to smoke?—A. Yes, sir; they smoke more than I do, both of them.

Q. Did you ever make cigars?—A. No, sir.

Q. You spoke of rolling tobacco. Do you mean putting it in bales?—

A. Making twists, coils, lumps, or anything like that.

Q. Putting it up in packages for market?—A. Yes, sir.

Q. Have you remained in Danville ever since?—A. No, sir; I have been in Brooklyn, N. Y., ever since.

Q. When did you leave Danville?—A. I left Danville Sunday night, the 4th of November, I think.

Q. How came you to leave there?—A. My cousin advised me to leave.

Q. Who is your cousin?—A. C. Hawkins.

Q. You went to Brooklyn, you say?—A. Yes, sir.

Q. Have you been there ever since?—A. I have been there ever since.

Q. What have you been doing there?—A. When I first went there I went to work in a factory, the week after I got there.

Q. You have been working there since you left, have you?—A. Yes, sir.

Q. Was there any other reason for your leaving except this occurrence?—A. Well, I thought my life was in danger.

Q. And that was the reason you left, was it?—A. Yes, sir.

Q. You did not stay to vote, then?—A. No, sir.

Q. How old are you?—A. I am going on about twenty-four years old.

Q. Had you registered?—A. Yes, sir.

Q. You were intending to vote?—A. Yes, sir.

Q. Do you know whether Lawson had registered?—A. Yes, I think he had.

By Mr. VANCE:

Q. How many colored men were there in town then out of employment?—A. I don't know the number.

Q. Well, you say the factories were all shut up?—A. I say they were closing up.

Q. There were a good many out of employment, were there not?—A. I suppose so.

Q. Two or three hundred?—A. I could not tell how many.

Q. A thousand?—A. I could not tell how many.

Q. Twenty?—A. I could not tell how many.

Q. Was there one?—A. I could not tell how many.

Q. You could not tell?—A. No, sir.

Q. Although you were out of employment?—A. Yes, sir.

Q. And Hense was out of employment?—A. Yes, sir.

Q. And Love was out of employment?—A. Love had got out that day. I don't know whether he was going to stay out all the time or not. I knew he was out at 10 o'clock that forenoon, or sooner.

Q. Then there were three that were out that you know of?—A. All three don't work in the tobacco business.

Q. Were you three employed that day?—A. No, sir.

Q. Then you can say that you three were not employed that day?—A. Yes; me and Lawson. I don't know about Love.

Q. Now, when you and Love and Lawson came across Noel there in front of that store, do you say that when Lawson trod upon his foot he turned round and said, "What the hell do you mean, you damned black nigger you?"—A. I didn't say that.

Q. What did you say?—A. I said he was getting out of the way of a lady, and struck against his foot, and he says, "What in hell do you mean, you God damned black nigger?"

Q. And didn't he say, "That is all right?"—A. No, sir; he didn't say anything more; then I told Hense to go ahead.

Q. I did not ask you what you said. Didn't he say, when Lawson told him that he was getting out of the way of a lady, "Well, that is all right?"—A. No, sir.

Q. Didn't he say that?—A. No, sir.

Q. Didn't you say to him, "It don't matter whether it is all right or not?"—A. Didn't I say to who that was all right?

Q. To Noel.—A. No, sir.

Q. You did not say, "No matter whether it is all right or not?"—A. I didn't say anything to him at all.

Q. Didn't you say anything to Lawson?—A. I says to go ahead, "You have asked him to excuse you."

Q. Go ahead where?—A. Down the street.

Q. You and Lawson were standing, were you not?—A. No; we could not be standing, and getting out of the way of the lady, too.

Q. You were standing on the street when Noel passed?—A. No, sir.

Q. What were you doing?—A. Walking down the street gradually, very slowly.

Q. Which way was Noel going?—A. Up the street.

Q. He was going one way, and you the other; you were meeting?—A. Yes, sir.

Q. And he struck you simply because you told Lawson to go on; he had begged his pardon?—A. I don't know anything else he struck me for.

Q. Did Lawson strike him, too?—A. No, sir.

Q. Didn't both of you attack him?—A. No, sir; nobody but myself.

Q. Didn't Love?—A. No, sir; Love was a little behind us.

Q. How far behind you?—A. I could not tell. I don't suppose it was very far. I was not looking behind me. I was looking at the man striking me.

Q. What time of day was it when you next met Noel in the buggy?—A. I don't know as I met him in the buggy. He was going down street, and I was going down street.

Q. Wasn't he going one way and you the other?—A. No, sir.

Q. Are you certain of that?—A. Yes, sir.

Q. You are certain that he did not turn the buggy round in consequence of something said to him?—A. No, sir.

Q. You did not hear anybody exclaim, "Here I am," with an oath?—A. No, sir.

Q. To call attention?—A. No, sir; not to speak to him.

Q. Were you on the sidewalk or in the street?—A. On the sidewalk.

Q. On the sidewalk?—A. Yes, sir.

Q. And he drove right on and did not stop?—A. Drove right on and looked back.

Q. Did not stop, did he?—A. No, sir.

Q. Was there any harm in his looking back?—A. I don't know of any harm in his looking back.

Q. How did he come to look back, if somebody did not call to him, or something?—A. I reckon a man will look where he pleases going down or up the street.

Q. But a man don't generally look back without something attracting his attention.—A. Oh, I reckon he would do as he pleases without anything attracting his attention particularly. A man will look anywhere whether he is driving or walking.

Q. You don't have to look at your horse?—A. Yes, sir; you look at your horse, or you can do anything you want to when you are driving a buggy.

Q. You knew where to go, then, didn't you?—A. Oh, yes.

Q. You followed on right down?—A. Yes, sir.

Q. You followed on in the direction you were going?—A. I didn't have any business to turn back; I was not going back; didn't follow him; I was not thinking about him.

Q. You did follow him, didn't you?—A. No, sir; I didn't follow him.

Q. Well, did you go before him?—A. I could not go before him. He was driving and I was walking.

Q. Then you followed after him?—A. I walked down street, as I was doing first.

Q. Where had you started for?—A. I hadn't started for any particular place, I don't think.

Q. Did you walk very fast?—A. No; very slow.

Q. What became of him?—A. He drove down, I suppose, in front of the opera-house door. I didn't take much notice of him.

Q. Why, Lawson had notified you that that was the man you had had the fuss with, who was looking back, and he expected you to have a fuss with him.—A. He told me——

Q. You did not pay any attention to the man you expected to attack you?—A. No; I did not expect him to attack me.

Q. Didn't you see where he went?—A. I couldn't tell where he went.

Q. Didn't you say you saw him get out at the opera house?—A. No, sir.

Q. Didn't you see him get out of his buggy?—A. No, sir; I was not noticing him.

Q. Paying no attention at all?—A. No, sir.

Q. You did not see him get out of his buggy and go on the sidewalk, and into the opera house?—A. No, sir; I was not noticing him.

Q. Did you see him coming out of the opera house?—A. I was not noticing which way he came until he got in front of this hardware store.

Q. Didn't Lawson say to you, "Yonder he comes with his friends?"—

A. That is when he was in front of the hardware store. We were walk-

ing along gradually, and after we got there he stopped and hit Lawson.

Q. Now, when Mr. Noel came up with Lea and Taylor did you say Taylor was one of them?—A. I don't know Taylor. He might have been there.

Q. How many men came up with him?—A. I could not say; about eight, or nine, or ten. I could not say.

Q. Did not pay much attention. The matter did not concern you—
A. The attention I paid, of course——

Q. You don't know how many men he brought up the street with him from the opera house?—A. I could not tell you exactly.

Q. To the best of your ability, how many?—A. I could not say how many.

Q. You could say how many you think.—A. I didn't have no judgment how many there were.

Q. You are not a judge of numbers.—A. I am not a judge of numbers if I have no business with them.

Q. I know you had no concern in the world, did not feel any interest in it, but give us the best of your judgment.—A. I did not have any concern with the men; no, I didn't have anything to do with them.

Q. Well, you heard my question. How many white men, to the best of your judgment, came up with Noel?—A. I could not say.

Q. Yes, you can say to the best of your judgment; probably you cannot say exactly.—A. I would not like to say.

Q. Oh, yes, you would; you would like to say now, if you will.—A. Well, I will say eight, or nine, or ten; probably there might have been more or might have been less.

Q. But, to the best of your judgment, it was eight, or nine, or ten came up from the opera house with Noel.—A. I suppose so; I could not tell. It might have been more or it might have been less; I could not say.

Q. But your opinion is that it might have been eight, or nine, or ten.—
A. I suppose about that—I could not say; more or less.

Q. What were the first words passed when they came up where you were?—A. No words passed at all that I heard; but that fellow struck Lawson, and Lea pointed that pistol, and says, "Stand back; I will shoot the last God damned one of you."

Q. To whom did he say that?—A. To the crowd, I guess.

Q. How many were there in the crowd?—A. I could not say how many.

Q. How many do you think there were of colored men with Lawson?—
A. I know that there were three there.

Q. You know that; but how many others?—A. I could not say.

Q. You could give us an idea.—A. I did not take any notice; I was noticing the fight.

Q. Oh, I reckon you could.—A. Oh, I could say, but I could not say to be positive of the fact.

Q. I don't want you to be positive; I just want you to give the best of your judgment.—A. I don't know; but there may have been some passed.

Q. How many were there when Lea presented his pistol and told them to stand back?—A. I was not paying attention to what was behind me.

Q. Who was there when he said stand back?—A. I walked up to see the fight.

Q. You were right with Lawson at the time, were you not?—A. I

was on the edge of the curbstone, and he was about middle way of the street.

Q. What did you have in your hand ?—A. I didn't have anything.

Q. Didn't have a pistol ?—A. No, sir.

Q. What had you done with your pistol ?—A. I didn't have any.

Q. You owned one, didn't you ?—A. No, sir.

Q. Didn't you get one in your room when you went down there ?—A. No, sir.

Q. You went home to dinner, didn't you ?—A. I went to the place where I board.

Q. Didn't you get a pistol then ?—A. No, sir.

Q. Didn't you get one from somebody ?—A. No, sir.

Q. Have you ever had a pistol since you have been in Danville ?—A. Oh, yes; I have had one since I have been in Danville.

Q. What did you do with it ?—A. I lost it.

Q. How long before that did you lose it ?—A. Four or five years, I reckon.

Q. And you never got another ?—A. No, sir.

Q. And did not borrow one that day ?—A. No, sir.

Q. And did not have one in your hand at this fight ?—A. No, sir.

Q. You started a while ago to tell something that you said to Mr. Lea, and Judge Lapham stopped you. I want you to tell it.—A. I simply started to say that that was not fair to let a man be beat up that way, and Lea run up and he made the officer stand back, and the officer said "This is my duty," and he made them stand back, and they did not get to part them until it was pretty nigh over with.

Q. You did tell them that it was not fair to let a man be beat up that way. Was anybody striking him but Noel ?—A. Nobody but Noel that I know of.

Q. Well, man against man was fair, wasn't it ?—A. But knucks was not fair.

Q. How do you know it to be knucks ?—A. I took them to be knucks ; it was like knucks I have seen.

Q. Did Mr. Lea say, "Stand back ; there are going to be no weapons used ; this is to be a fair fight ?"—A. Didn't hear him say that.

Q. That is one of the times you did not pay attention ?—A. I was paying attention when the fight was going on.

Q. How long did the fight last ?—A. Two minutes, may be.

Q. Now, when the fight was going on, didn't the colored people come up very rapidly from all directions ?—A. I don't know whether they came up so particularly when the fight was going on as afterwards. They came up to see what was the matter.

Q. Did you see the scuffle between Lea and Adams for the pistol ?—A. No, sir.

Q. Didn't see that ?—A. There was no scuffle between Adams and Lea for the pistol that I know of.

Q. There was no wrangling between them at all. Did you see any one man try to take Lea's pistol away from him ?—A. I did not.

Q. Did you hear the pistol fired ?—A. I heard the pistol fired.

Q. Where were you then ?—A. I was there. There was a heap of them fired then.

Q. I mean the first one. Who fired the first one ?—A. Lea fired the first pistol.

Q. Do you know where it was when he fired it—in what direction it was pointed, or how it came to be fired ?—A. I don't know how it came to be fired ; but I know he fired it.

Q. How did he fire?—A. He fired it right straight across the street. It struck Graves's store.

Q. That was the first fire?—A. Yes, sir.

Q. And he fired it right towards the crowd?—A. Yes, sir.

Q. Did he fire at any particular colored man that you know of, or just at large?—A. I don't know.

Q. Did you see any colored man hold of him trying to take it from him at that time?—A. No, sir.

Q. You said you heard the white people say, "Get off the street, you damned niggers, or we will kill every one of you"?—A. I heard the white people.

Q. Who said that?—A. A good many voices said, "Get off the street."

Q. Didn't you hear a white voice say, "If you black folks disperse, the white folks would?"—A. No, sir; I didn't hear that.

Q. Didn't you hear any white man besides the police trying to get the crowd to disperse?—A. No, sir; no man as I knew of.

Q. Did you see Mr. Peter Booth?—A. I don't know Mr. Peter Booth. I might have seen him, but I don't know him.

Q. Well, did you hear a white man in the crowd, whom you did not know, begging them to disperse?—A. Begging who?

Q. The black people?—A. No, sir.

Q. Did you hear or see Mr. Jeff. Corbin trying to do the same thing?—A. Jeff. Corbin was there, but he was way up above me, and I could not say. I didn't know what he was talking about.

Q. He was in the crowd of colored people, was he not?—A. I think he was standing between the white and colored; but what he was saying I don't know.

Q. Did not Captain Oliver say something?—A. Yes, sir; he said something to me.

Q. Didn't he ask the colored people to disperse?—A. I did not hear him say anything to anybody but me.

Q. What did he say to you?—A. He called me a God damn black son of a bitch.

Q. Did he say anything but that?—A. He says: "You are the God damn black son of a bitch that tried to raise a fuss last night."

Q. Where did you try to raise a fuss?—A. I told him I was not down town that night, and that is why he begged my pardon.

Q. Did you hear Mr. Freeman, the policeman, trying to disperse the crowd?—A. I don't think I saw Mr. Freeman; I am pretty positive I didn't.

Q. Did you see Policeman Adams have a pistol?—A. No, sir; he didn't have one.

Q. Didn't have one?—A. Not that I saw; I didn't see him have any in his hand; he might have had it in his pocket.

Q. While the white people were saying "Get off the street," what did the blacks say?—A. They didn't say nothing; I didn't hear it.

Q. What was the reason you could not hear it?—A. Because they didn't say it, I suppose; but I didn't hear it.

Q. Now, you were right in among the crowd of black people, were you not?—A. Yes, sir.

Q. Did they make any response to all these orders to disperse from Captain Oliver?—A. What do you say?

Q. You heard what I said?—A. I didn't hear what you said.

Q. Oh, yes; you want time to make up your answer. I asked you if the colored people made any response to all these orders to disperse

from Captain Oliver?—A. Oh, I don't know; I didn't hear them make an answer.

Q. You swear you did not hear anything said by the black people in that crowd about dispersing?—A. I won't swear to nothing I don't know. I said that I don't think the colored people said anything.

Q. Now, there were the police, and several white men trying to get the colored people to disperse. Did they make no answer at all to their appeals?—A. The time that all this was going on, the fuss commenced and was over in shorter time than all these words could be used.

Q. After the time that the first pistol was fired by Lea, how long was it until the general firing began?—A. I could not say; I don't think it was very long.

Q. Was it a minute?—A. Oh, yes; I suppose it was more than a minute.

Q. Now, during that time, when the crowd was coming up, excited by the firing of this pistol and by the fight, there were various men trying to get the crowd to disperse?—A. I will tell you, a good many colored people were leaving, as I thought, when the pistol was fired.

Q. I ask you if to all these appeals the colored people made no reply?—A. I didn't hear the colored people say nothing, as I can recollect.

Q. You can recollect all that the white people said, can't you?—A. The colored people don't talk back to the white people like the white people talk to them.

Q. You said something; you came up and remonstrated with Lea?—A. I didn't say nothing, only when they were fighting. I only said "It is not fair to let a man get beat up that way."

Q. You were not under any restraint by the presence of white people, were you? You had fought that morning with Noel, single-handed, and you talked back to him?—A. He didn't say a word to me that time.

Q. But you say the colored people would not talk back to the white people like the white people would to them?—A. I don't know. I don't think a word passed. I didn't pass a word to Noel.

Q. What was it you said?—A. What was it I said to who?

Q. To anybody during that fight?—A. I told Mr. Lea that I did not think that was fair to let a man be beat up that way.

Q. What did you say to Oliver?—A. He called me a God damn son of a bitch; and I told him I was not down town that night. He says, "You are the God damn black son of a bitch who was trying to raise a fuss down town."

Q. Now, I have dwelt long enough on that point. I am going to ask you once more if the colored people made no answer at all to the white people when they were asked to disperse?—A. I could not say, because I can't remember. I don't think that I heard them say anything.

Q. By the time the firing began how many colored people had come up?—A. A good many.

Q. Well, give us an idea.—A. I couldn't give you an idea.

Q. How many white people had come up?—A. I couldn't tell you; a good many white people.

Q. How many?—A. I couldn't say, but a good many.

Q. Which were the most, the white or the colored?—A. I was not looking back behind me very much, but there was a good many white people, a good many more than colored.

Q. A good many more white people on the sidewalk than there were colored people in the street?—A. Yes, sir.

Q. Did you see Mr. Holland shot?—A. No, sir; I didn't know he was shot until I heard so.

Q. At what time did you start to leave; before this order to fire was given or afterwards?—A. I was leaving when the order was given.

Q. When the order to fire was given what did you do?—A. I went across the street, went up in that office, in the door; I couldn't get in; I went behind the door.

Q. You got away. Did you run?—A. Yes, sir; I run a little bit.

Q. And got into that office?—A. I didn't get into the office; I got in the door of it; it has got a double door.

Q. You got in behind the double doors?—A. I got in behind one of those doors.

Q. You couldn't see out then, could you?—A. The firing was going on.

Q. The firing was going on, but you couldn't see out?—A. No, sir; I couldn't see out.

Q. Now, you told Senator Lapham that the white folks kept on firing at the darkies after they ran?—A. They was firing at the time they was running.

Q. Well, at the time they run; they did not run before the firing, did they?—A. When they commenced to fire on them I suppose they went falling back then.

Q. Did not some man say if the crowd didn't fall back he would fire?—A. I suppose a man must have said that. I took it just like I heard it.

Q. That is what I thought.—A. A man says "fire on them" and he might have said fall back. You know when a man talks about shooting, a man don't have time to listen.

Q. I ask you if there was not some warning given?—A. Only some man said "fire on them."

Q. That is no warning. Did not something precede that? Did not somebody say, "If you don't fall back we will fire."—A. I didn't hear that.

Q. Well, you ran to get behind that door, and could hear the firing, but could not see?—A. Yes, sir.

Q. Do you know whether all the colored people ran then, or some stood and returned the fire?—A. A good many ran; I didn't look back to see.

Q. You didn't see whether all were running or not?—A. I saw a good many running; I couldn't say it was all of them.

Q. You don't know whether any of them stood their ground until the end of the firing or not?—A. No, sir.

Q. You don't know whether any of the pistols you heard were fired in the air or not?—A. I don't think it was fired in the air.

Q. Could you tell by the sound whether a pistol is fired in the air or at a man?—A. I am no judge of shooting at men that way.

Q. You cannot tell the difference in the sound of a pistol whether fired in the air or at an object? You have told us that you didn't see them, but you didn't think they fired in the air.—A. I have got a privilege to think what I want to think about anything, and that is my thought, just to think, that is my privilege.

Q. It is your privilege "just to think," but your thoughts are not testimony; we want what you saw.—A. Well, I am telling what I saw. I couldn't say I saw so much firing when they told them to fall back; when they told them to fire on them they fired.

Q. Why do you keep using those words, "fall back," and then take them back?—A. I don't.

Q. You said somebody might have said "fall back".—A. I say I didn't hear it.

Q. You didn't hear, then, anybody say "fall back?"—A. No, sir.

Q. After you got behind that door could you tell by the firing whether the white people were firing or the black people?—A. I didn't see any pistols in the black people's hands.

Q. You did not see when Freeman came up whether he had a pistol or not?—A. I didn't see any pistol in colored people's hands.

Q. After you got behind that door you didn't see any pistol in white men's hands, did you?—A. I saw them before I got behind the door.

Q. When you were there in the crowd before you ran, your back was to the black people, wasn't it, and your face to the whites?—A. Of course.

Q. Then you couldn't tell whether there were any black men behind you who had weapons or not?—A. I didn't see any.

Q. Of course you didn't if you didn't look at them.—A. Well, the whites were on this side [indicating] and the colored on this side, and I was standing between the party.

Q. There were two hundred or three hundred black people there, were there not?—A. I couldn't say; there may have been; I couldn't say.

Q. Well, there were over one hundred, were there not?—A. I don't know; I suppose so; I don't know.

Q. Well, you can say there were no pistols there.—A. I didn't see any.

Q. There might have been lots of colored people with pistols and you not see them?—A. Of course; but I didn't see them.

Q. You did not examine Freeman, did you?—A. No; I didn't have any business to.

Q. They were all standing up close together, were they not?—A. I didn't notice them standing close together.

Q. But you took notice enough to see that none of them had pistols?—A. Of course I saw the whites have pistols; I didn't see the colored.

Q. How many white men did you see have pistols?—A. I couldn't say.

Q. More than one?—A. Oh, yes, more than one.

Q. Did you see as many as five?—A. I will state I don't know how many I saw, but I saw a good many.

Q. Well, give us some idea.—A. I don't know; but I know it was over twenty-five or thirty-five.

Q. Over twenty-five or thirty-five pistols that you saw in the hands of the white people?—A. Yes, sir; I had an idea myself that they all had them.

Q. Did any one of them show their weapons before that firing began?—A. All of them had their pistols in their hands.

Q. Now, why did the colored people crowd up on a lot of people that were armed if they were not armed?—A. I don't suppose they had any idea this fuss was going to take place.

Q. Although there were men with pistols in their hands threatening to shoot every damn one, as you say Oliver said?—A. I didn't say Oliver said that.

Q. What did Oliver say?—A. He said I was a damn black son of a bitch.

Q. When was that said; at the time they said fall back?—A. Nobody didn't say fall back that I heard.

Q. You said to Judge Lapham that the white people said, "If you

colored people don't get off the streets we will kill every damned one of you."—A. I told him that in my first examination. Of course he said that; they were shooting then.

Q. Who said that?—A. I couldn't say who said that.

Q. You say that was said before the shooting took place?—A. No, sir; I told you what you asked me to tell you.

Q. Do you say now that that exclamation was not made until after shooting?—A. I say that the man said "fall back." I didn't say that he said it in the time all this firing commenced.

Q. When was it?—A. I said they said it when Noel and Lawson were fighting—commenced to fight. This large crowd had not gathered there then.

Q. When did you hear that exclamation "If the colored people do not get off the streets we will kill every damned one of you?"—A. I suppose that was just about the time the firing commenced.

Q. Exactly. Now, notwithstanding all these threats, and this display of pistols, the colored people kept pressing up?—A. They didn't keep pressing up that I knew particularly.

Q. How close were they to the white people?—A. They were not very far apart.

Q. And there were a great many more colored people than whites, were there not?—A. I didn't say that.

Q. I ask you if it was so?—A. I didn't count either party, but I thought there was more whites than colored.

Q. The white men had all got out of the opera house by this time, hadn't they?—A. I didn't know anything about the opera house, except I heard there was a meeting there.

Q. What direction did the white men come from?—A. Some came up from the opera house.

Q. Where did the others come from?—A. Gathered from all parts of the city. An excitement was created and they came to see what was the matter.

Q. But you say it was just about a minute between the firing of the first pistol and the general firing?—A. I didn't say that. I didn't say how long it was.

Q. Well, state now.—A. I couldn't say; I don't know.

Q. Why don't you know; you were there, were you not?—A. Yes, I was there.

Q. Well, you have an idea of the flux of time, haven't you?—A. I couldn't say, not knowing; I couldn't tell you this; I could tell you it wasn't an hour between the time; I don't think it was half an hour.

Q. It was from any time to half an hour?—A. I say it was inside of half an hour, I think, and I know it wasn't an hour.

Q. You think it was half an hour?—A. I didn't say; and I don't say that; I think it was inside of an hour; I know it was not an hour.

Q. Are you willing it should stand as your judgment that it was about half an hour?—A. I don't want it to stand on my judgment at all; I told you I thought it was inside an hour; about what minutes I couldn't say.

Q. Why didn't the colored people go away when they had received so much warning?—A. I reckon they thought they had as much right on the street as anybody else.

Q. That is true; they did have the same right there as the white people precisely; and that is the reason they did not leave?—A. No, sir.

Q. When the officers of the law came up and asked them to go, why didn't they go?—A. Who was that?

Q. Freeman came up?—A. I didn't see Freeman at all.

Q. You don't deny but what he was there, do you?—A. I reckon he was there.

Q. Was not Walter Withers there?—A. I think he came up after Bob; I am not sure, but I think he did.

Q. Didn't he try to get the crowd to disperse, too?—A. I can't say; at the time this was going on I don't suppose policemen had much to do with it, because I don't suppose they thought they could settle it; I know that Adams went up to part these parties and a fellow made him go back.

Q. I ask you if Mr. Withers, a colored policeman, tried to get the colored people to disperse?—A. Now, I say I don't know that he came up before Adams; I don't think he got up before Adams.

Q. I didn't ask you if he came up before Adams; I asked you if he tried to get them to disperse?—A. I didn't see everybody in the whole thing.

Q. Did you see Mr. Withers, the colored policeman?—A. I saw him once.

Q. Did he try to get the crowd to disperse?—A. I didn't hear him say anything; he was standing near Woolfolk & Blair's door.

Q. I didn't ask you where he was standing. Did you hear him try to get the crowd to disperse?—A. I didn't hear him say anything.

Q. Not a word?—A. Not at the time I saw him.

By Mr. LAPHAM:

Q. What was it that Lea said or did which caused you to make the remark you say you made to him?—A. About beating the man up?

Q. Yes.—A. Well, he had the pistol drawn and didn't allow anybody to part them.

Q. What had he said?—A. He had said, "Stand back, or I will blow your God damned black brains out," or something like that. I told him it wasn't fair to let a man beat a man that way.

Q. What did he say in answer to that?—A. Made them stand back.

Q. Made who stand back?—A. Made everybody stand back.

Q. So as to let the fight go on?—A. Let the fight go on.

Q. He made no answer then to that remark of yours?—A. No, sir.

Q. And is that all you said to him?—A. That is all I said to him at that minute; I don't remember saying any more to him.

Q. Now I want to understand whether Noel came up and struck Lawson without anything whatever being said?—A. Struck him without a word said to Lawson; didn't hear him say a word to anybody.

Q. Or to you, or to Love?—A. Didn't say anything to Love or to me.

Q. And are you able to say at what time Noel took hold of Lawson?—A. I suppose he must have struck about two or three licks before he took hold.

Q. You think he struck one or more times?—A. I know he struck him once before he took hold of him.

Q. Can you say how they had hold of each other when they were separated?—A. I think Lawson had him somewhat about the collar, and I think he had Lawson somewhere about the collar.

Q. Who was the person who separated them?—A. George Adams, the colored cop.

Q. Was he a policeman?—A. He is a policeman.

JOHN F. CARL sworn and examined.

By the CHAIRMAN:

Question. Where do you now reside?—Answer. Danville, Va.

Q. What is your employment?—A. I am superintendent of the National Cemetery there.

Q. How long have you been there?—A. Since August 22, last.

Q. Have you been a union soldier?—A. I have; yes, sir.

Q. Were you present in Danville on the 3d of November last, when what is known as the riot or massacre occurred?—A. Yes, sir; I was present.

Q. I wish, if you please, you would state what you saw of that affair, from the time you first saw the gathering until the close of it.—A. I was on the main street in Danville, Va., on the 3d of last November, and about 3 o'clock, at my estimate, I had stepped into a clothing store for the purpose of making a purchase—Mr. Wiseman's store—several doors south of Market street, and perhaps 75 yards south of the scene of the trouble or riot. I was about to make a purchase when my attention was attracted by a tumult on the street. I went out following several others who went from the store, perhaps nearly all the people in the store, and I saw gathering a great crowd about 75 yards south, probably in front of the notary's office.

Q. On Main street?—A. On Main street, on the same side of the street; and I then saw what appeared to me to be an encounter between two or more parties. I could not see the parties except when they would raise their hands above the crowd. The encounter seemed to last for a minute or two probably, when there was a pistol shot fired, and the crowd upon that dispersed as a general thing. I did not see many more people in that immediate vicinity after the firing of the pistol. I then crossed over on the opposite side of the street for the purpose of going up to try and ascertain what was the cause of the trouble. I passed on up in a southerly direction, I believe, to a point opposite and above the scene of the riot, or at least to a point above on the opposite side of the street, recrossed and passed down in front of the notary's office about where I supposed the encounter occurred. While there I saw several white men gather on the sidewalk, probably fifteen or twenty, and a good many colored people in the street. There was a colored man in the street, a mulatto, who seemed to demand or ask something of some one on the sidewalk; seemed to ask the arrest or something of that kind, of some one on the sidewalk. One white man stepped to the curb of the sidewalk and replied, "Here I am, what do you want of me?"

Q. Did you know that man?—A. No, sir; I didn't at the time, and don't at present, I believe.

Q. When that man said, here I am, &c., what reply was made?—A. The reply was that "You are not the man," and the yellow man in the street seemed to point to some one else; I could not see who he was pointing to. He said, "You are not the man, I mean the other man" or words to that effect, and I started away. There was some one mentioned there that there would be trouble; I had my boy with me, twelve years old, and I wanted to get away; I advanced a few steps from there when my boy called my attention to the place again by saying, "Father, they are going to shoot." I then saw a number of pistols in the hands of a number of men on the sidewalk, held at what I call a "Ready."

Q. Who held these pistols, white or black?—A. White men on the

sidewalk held the pistols at a "Ready," and immediately afterward the firing commenced.

Q. At a "Ready," that was upward?—A. They held them, the right hand grasping hold of the pistol, and the left supporting the right hand. Immediately after that the firing commenced; there was no lapse of time scarcely; and I then took my boy into a hardware store in the vicinity. I did not know the name of the proprietor at the time; it is Voss & Co. I turned around then to note progress, and it was about over then; it did not last over a few minutes, probably.

Q. Did you notice whether the colored men in the street there were armed or not?—A. I did not see any arms in the hands of any colored men there.

Q. What had they, sticks or anything of that kind?—A. I saw several men having driving whips, I believe.

Q. Driving whips?—A. Yes, sir.

Q. Such as teamsters use?—A. Yes, sir.

Q. About how many white men were there at the time the firing commenced, on the pavement?—A. Probably from fifteen to twenty.

Q. How many colored men in the street or near by?—A. The colored crowd was composed of a motley number of all ages and sexes, from six years upwards; and I suppose there was a sprinkling of more or less boys, youths, I estimate them at one hundred and fifty or two hundred.

Q. How did these people gather together; who were they?—A. Such as gather together walking along on the street. The greater number of them seemed to be gathered simply out of idle curiosity. I was a stranger, but they seemed to me to want to ascertain what the trouble was.

Q. What was the attitude of the blacks; were they aggressive, threatening, or what was their attitude?—A. They seemed to me to be a little more defiant than usual; that is, they seemed to stand up for something or other; that is, to make their demands and back them up a little more than usual; that is, they seemed to be a little more forward, I thought, than usual in crowds of the kind; they were probably excited on account of the first encounter, I thought. I don't know it to be a fact, but my idea was that they desired to secure the arrest of the white man who was fighting with the colored man before; that was my idea, I don't know the fact.

Q. Were they threatening in any way?—A. I could not say that they were; I didn't hear or see anything of the kind.

Q. Where was the crowd of colored people gathering from?—A. From all points generally in the city; all directions at least accessible.

Q. How were the white men formed; you have been a soldier, you can tell us how they were formed?—A. They were formed along the sidewalk, I believe. When I saw them just previous to the firing they were ranged abreast or nearly so, perhaps a double line; there was some in the rear of others, I know, and the right of the front line rested on the curb, and the left inclined toward the buildings, across the pavement diagonally.

Q. With the buildings on one wing and the curb at the other?—A. Yes, sir.

Q. When the firing began what did the blacks do?—A. They began to disperse pretty rapidly; immediately, I thought.

Q. How long before they were dispersed?—A. It was a very short time. At the close of the firing I didn't see any more of the negroes.

Q. Did you then look round to ascertain the effect of the firing;

how many were killed?—A. Yes, sir; I went to the rear of the square and passed up on to what I believe is Union street, on the corner of the Arlington Hotel, and I saw two men lying on the opposite corner diagonally, one lying upon the pavement; one at the corner of Wiseman's store.

Q. That is the first corner beyond Market street?—A. Yes, sir; on the same side.

Q. Where did the firing come from, the whites or the blacks?—A. The firing was commenced by the whites as I thought.

Q. Did you see any firing or hear any firing from the blacks?—A. I did not.

Q. Were you so placed that you would have noticed it?—A. I could not say positively, there might have been some answering shots that I would not have noticed, but I did not hear or see any. The greater number of discharges came from the side of the whites I know and might have drowned just a few shots from the other side. I didn't see any.

Q. Did the firing continue after the colored people began to disperse?—A. Yes, it continued some time; that is, it continued until they had gotten off the street, entirely out of the vicinity.

Q. How many shots were fired, in your judgment? You are a soldier, you can tell us about how many?—A. I estimate about one hundred and fifty.

Q. Did the firing of that number of shots create any perceptible smoke?—A. Oh, yes.

Q. When the smoke cleared away where were the negroes?—A. I didn't see any in that vicinity.

Q. To what extent did it create a cloud of smoke?—A. To such an extent that it hid objects on the opposite side of the street during the time, for a few seconds, half a minute probably.

Q. Were the whites re-enforced during the time of the firing; did you see the number increasing?—A. Yes, sir; my impression was that a good many were added to the number before the firing ceased.

Q. Do you know where they came from?—A. From different directions.

Q. Did you know anything about the meeting going on at the opera house at the time?—A. No, sir.

Q. Did you notice whether the re-enforcements were armed as a rule or not?—A. Yes, sir, most of them were.

Q. Had they their arms exposed; did they exhibit their arms by holding them?—A. Yes, sir.

Q. Did you see any other arms besides pistols?—A. Yes, sir; I saw several men with shot-guns.

Q. Can you describe where the men with shot-guns were; where you saw them?—A. They were on the street; on the pavement, at least.

Q. Was that at the beginning or end of the controversy?—A. That was right at the end of the encounter.

Q. Were they shot-guns or rifles?—A. Shot-guns, mostly.

Q. Do you know whether any of them were fired?—A. No, sir; I don't think they were.

Q. You would be able to tell the discharge from the discharge of a pistol?—A. Yes, sir.

Q. After the negroes had dispersed, after the colored people had gone, and you had seen these dead bodies, what occurred then afterwards there, or near by? Did the whites collect in a crowd?—A. Oh, yes; there was a great deal of excitement immediately following. There

was a number of people came down the street, from the south is I believe the direction, and assembled in front of the Arlington Hotel, or rather in front of the Planters' Bank, which is immediately opposite, and a gentleman commenced to harangue them; advised them to disperse. A white-haired gentleman raised up right in front of the Planters' Bank, I believe, or the Southern Telegraph office, and commenced counseling moderation, and to avoid further trouble and disperse.

Q. Who was he?—A. I don't know who it was.

Q. I will ask you if it was Colonel Cabell?—A. I don't know. I don't know that I can recognize the gentleman now or not.

Q. Did they disperse then?—A. They did not disperse entirely; but it seemed they cheered him. Several men cheered him and seemed to take it kindly, and did not proceed any further; they stopped right there. The regular militia immediately took the place of the citizens then.

Q. Do you know whether any of these persons who fired were at once mustered into the police?—A. No, sir; I do not. I left town immediately after I saw that riot.

Q. How far is the cemetery from the town of Danville?—A. That is, I did not leave the town, but went to the cemetery, which is immediately on the southeastern limits of the town, about one mile from the scene of the encounter or riot.

Q. Did you notice where the bodies you saw were hit?—A. No, sir; I could not see at the distance I was.

Q. You made no examination?—A. No, sir.

Q. Did you hear any shouts or exultation on the part of the whites after the firing and before this crowd gathered there; did you see any display of excitement?—A. Nothing more than general nervousness. They were very quiet so far as noise or vociferation was concerned.

By Mr. VANCE:

Q. The fight was over before the crowd that came up from the opera house got there, wasn't it?—A. I didn't notice any special crowd coming from the opera house. I noticed people gathering, but didn't know where they came from.

Q. There were about fifteen or twenty, you say, when the firing first commenced?—A. Yes, sir.

Q. Were there any that came up while the firing was going on?—A. Yes, sir; I thought there were, from different directions.

Q. They could not have had time to come very far, I suppose?—A. No, sir; I suppose in the immediate vicinity.

Q. Those men that you saw that came up armed afterwards took no part in the fight, did they?—A. Not that I saw.

Q. They got there too late?—A. Entirely; most of them did; yes, sir.

Q. Didn't many of them run home to get arms; run into hardware stores, &c.?—A. I saw one or two going into the hardware store that I was in at the time.

Q. Had you got into the store with your little son before the firing began?—A. No, sir.

Q. How far were you from the door?—A. I was probably five paces from the door at the time the firing commenced; probably five paces from where the parties stood that commenced firing.

Q. You hurried on in then, did you not?—A. Yes, sir.

Q. And having left your son in safety you went back to the door to look?—A. Yes, sir.

Q. Now when you got back to the door to look, was it nearly over then?—A. Yes, sir; only a few shots fired afterwards, straggling shots.

Q. Can you say that no colored people fired at all?—A. I cannot say

that any colored man fired, but I can say that I did not see any arms in their hands, or hear any answering shots that I could distinguish.

Q. From where you were whence you saw the smoke you could hardly tell whether the shots were from one side or the other, could you?—A. Yes, sir; I could tell the direction of the firing from the sidewalk, from the direction the smoke would take.

Q. And you saw no answering shots?—A. No, sir; not to distinguish.

Q. Did the firing cease when all the colored people had run?—A. Well, yes, sir; as far as I could see. There was some smoke intervened as a matter of course, but I could not see any colored people, and then of course the firing ceased.

Q. Supposing that the white people had felt compelled to fire in the first instance by necessity, do you think from what you saw, that they fired after it was no longer necessary?—A. I don't know how to answer that exactly.

Q. I mean supposing that there was originally any necessity for the white people to fire, as they allege in self-defense, did they fire after the necessity was over?—A. They ceased firing after the crowd dispersed, and there was nothing to fire at.

Q. Do you know whether the crowd had all gone before they ceased firing?—A. No, sir; I could not say that because I say the smoke intervened that way, and I could not see any opposite party.

Q. You said the crowd was composed of all ages and sexes. Were there any women there?—A. Yes, sir; I noticed several girls.

Q. Where were they?—A. They were mixed indiscriminately in the crowd; not immediately in the front of the crowd, but more in the rear.

Q. In the rear of the crowd?—A. Yes, sir.

Q. Were they saying anything?—A. Not that I noticed.

Q. Did you hear them urging the colored men on?—A. No, sir.

Q. Did you hear any exclamation from the colored people of anger?—A. Nothing more than the party whom I mentioned in the street, the yellow man.

Q. What was his name?—A. I don't know.

Q. He was demanding something; you thought it was the arrest of a party?—A. Yes, sir.

Q. Were there any voices seconding him?—A. No, sir; I did not hear any.

Q. Did you hear any colored man but this one making any speech at all?—A. Not that I recollect, use any language in reference to the matter whatever.

Q. Did you see any white men trying to make peace?—A. Not immediately. No, sir, I did not. Before the firing commenced, or rather before the crowd thickened up, I saw some persons trying to disperse them, among others a colored policeman, I thought—I looked at them from the opposite side of the street—trying to get the crowd to disperse. There was not many there then.

Q. Could you hear what he said?—A. No, sir.

Q. And could not hear what they said to him?—A. No, sir.

Q. Did you see any white men aiding the policeman, or doing the same thing?—A. No, sir.

Q. Did you know Captain Oliver, of the Grays, there?—A. No, sir.

Q. You did not see him or Mr. Corbin or Mr. Freeman?—A. No, sir; I am a comparative stranger there.

Q. How long have you been there?—A. I have been there since the 22d of August.

Q. What position do you hold there?—A. I am superintendent of the National Cemetery there.

Q. While this was going on did the colored people press up towards the white people standing on the sidewalk?—A. There was a little interval between the curb and the front of the line of colored people, about one yard or two. I suppose they were probably surging back and forth.

Q. The gutter was near them, I suppose?—A. Yes, sir; and some a little further at times.

Q. Now, you spoke of the whites forming, to use the language of Mr. Sherman. Was there anything like a military formation, more than the sidewalk would make men take who were facing somebody in the street?—A. I took it to be from necessity. Men that were about to engage in an encounter of that kind would necessarily have to make some kind of formation to avoid hurting each other.

Q. Present a front?—A. Yes, sir; present a front.

Q. And the curbing on the sidewalk answered for that purpose?—A. The position of the whites at the time and the colored crowd rendered it necessary for them to change their position from the direction of the curbing; they had to form a diagonal line across the pavement in order to face the crowd.

Q. So that when they formed the diagonal line across the pavement one end of their line rested against the building?—A. Yes, sir; in that direction.

Q. And the other on the curbing?—A. Yes, sir.

Q. You say there were, all told, about one hundred and fifty colored people?—A. That was my estimate.

Q. Up to the moment the firing began was not that number momentarily increased by others arriving?—A. Yes; it had been up to that time.

Q. There were not very many up to the time of the first firing?—A. No, sir; the most of them had gathered after that.

By the CHAIRMAN:

Q. Senator Vance asked you about the white people believing it was necessary to fire for their protection. Do you think there was any necessity for firing to protect themselves?—A. As I understood the Senator he put a hypothetical case.

Q. I ask you as to the real case, as you saw it.—A. I do not believe there was myself.

Q. You think the presence of the white men, armed as they were, there was no danger of the crowd attacking them?—A. I think not.

Q. Were you on the same side or opposite side of the street to where the white men were?—A. I was on the same side of the street.

Q. The white men formed in line; a diagonal line, that way [illustrating], and you were off here, were you?—A. Yes; I was to the north.

Q. Were you in the rear or in the front?—A. I was to the left; rather to the left, in front.

Q. The colored people were off here [illustrating], and you were off here?—A. Yes, sir.

Q. From that point of observation you could see both the whites and blacks?—A. Yes, sir.

Q. You would have no difficulty in seeing from which point the firing came?—A. No, sir; I was satisfied in my mind from which point the firing came.

Q. Could not you as a soldier tell from the sound also as well as from what you could see?—A. Yes, sir.

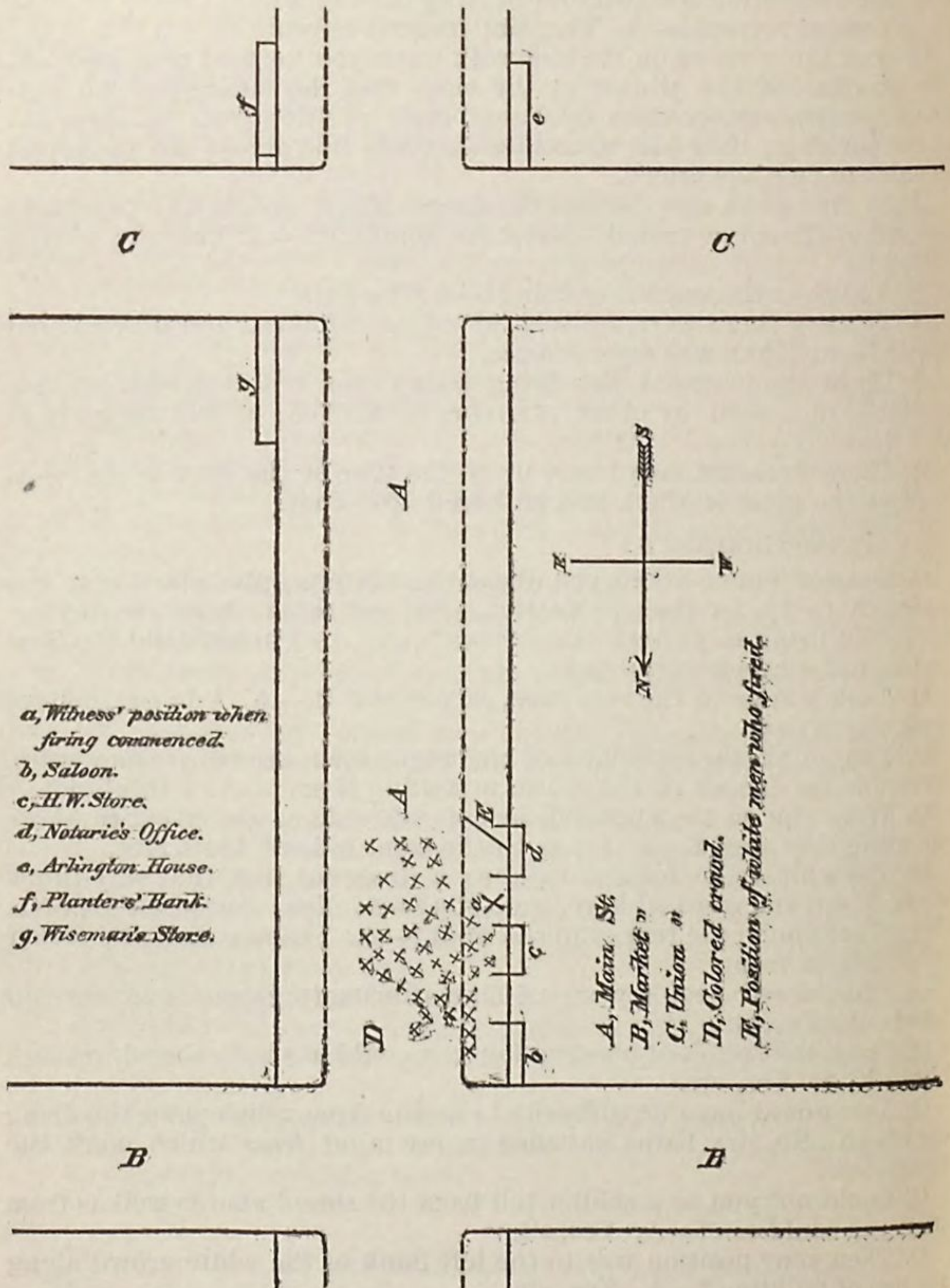
Q. Then your position was to the left flank of the white crowd along the line of building?—A. Yes, sir.

Q. How far were you from the left flank?—A. I was within about five paces of where the firing commenced.

Q. Then how far would you be from the crowd of colored people in the street?—A. The front ones were about me, in fact, and some below on the pavement. I had to pass through a portion of the crowd to get into the store. They ranged then from a line below where I stood across to the center of the street and up the street.

The CHAIRMAN. I wish you would draw for the use of the committee a diagram of the scene showing the crossing of Market and Union streets, and about the relative positions of this line and yourself and the colored people.

(The witness prepared and submitted the following diagram :)



SOPHIA POWELL sworn and examined.

By Mr. LAPHAM :

Question. Where do you reside ?—Answer. I live in North Danville.

Q. How long have you lived there ?—A. I have lived there about nine years.

Q. Are you married or single ?—A. Married.

Q. Have you a family ?—A. Yes, sir.

Q. Were you in the city of Danville on the 3d of November ?—A. Yes, sir.

Q. What time did you go there ?—A. I went there in the afternoon.

Q. What time in the afternoon ?—A. I went there between 2 and 3 o'clock.

Q. For what purpose did you go there ?—A. I had been doing some sewing for some of the people that work in the factory, and I went over to get my money. They told me to come Saturday afternoon and I would get my money.

Q. While there did you see anything of this disturbance ?—A. Yes, sir.

Q. What is the first you heard or saw of it ?—A. I didn't see any in the beginning of it; but I was down street, at the lower part of the town, and I heard there was a fight up town, and I saw a great excitement, and people going upstreet; and I didn't know where my husband was. I thought he was uptown somewhere, and I heard the shooting, the first fire, and I thought I would go up and see if he was in the crowd, and I would get him to go home, and that is why I was up there.

Q. What was the first you saw as you were going up there ?—A. As I was going up, just before I got up, I heard the firing; I could see people firing just before I got up there.

Q. Which street did you go up ?—A. Right up Main street, up on the left-hand side going up.

Q. As you were going did you see any one with a gun ?—A. As I come back I met them going up with guns.

Q. That is when you left there ?—A. Yes, sir.

Q. Who was with you ?—A. Violet Keeling.

Q. Was she in pursuit of her husband also ?—A. Yes, sir; we went over together.

Q. Now go on and tell what you saw and heard there.—A. As I was going up—I was on the left-hand side going up, and the shooting was on the right-hand side going up—and just before I got up to the crowd the firing commenced, and we turned to go back down to Mr. Page's store, and stopped in the store, as we thought, out of reach of the shooting, and I looked up and the colored people was all running; and we stood there and looked awhile, and this Mr. Blunt—I knew him—I saw him stand there and shoot several times at the people running.

Q. Saw who shoot ?—A. Mr. Blunt.

Q. You saw him do what ?—A. He was shooting at the people, the colored people who were running.

Q. Did he come out from the ranks where he stood, and shoot ?—A. Yes; he come down to the corner.

Q. Following after them ?—A. Yes, sir. The people came down the street and then he turned as they turned down the corner going down to Swayne's factory, and shot manfully. He just killed anybody he could; didn't make any difference who they were, that way he was shooting.

Q. What is his business there ?—A. He keeps a photograph gallery.

Q. Did you see any other one follow and shoot as he did?—A. The firing commenced and it seemed they were all just walking, I thought.

Q. The white people?—A. Yes; colored people were running.

Q. Did you see any colored people with arms?—A. No, sir; didn't see one with arms.

Q. Did you see any firing from the colored people?—A. No, sir; they didn't have time, the way they were running.

Q. Now, how many pistols do you think you heard fire off?—A. I can't certify; there were so many of them, you see; I didn't get right up to them.

Q. There were a great many, were there?—A. Yes; a great many.

Q. Did you hear anything said by the white people after the colored people commenced running?—A. No, sir; I wasn't up there. As I came on down street I met them going up street with guns.

Q. As you went back, you mean?—A. Yes; they were making up towards where the shooting commenced as I was coming from it.

Q. There is where you saw persons with guns?—A. Yes, sir.

Q. Going up to the scene with guns in their hands?—A. Yes, sir; and I was coming from it.

Q. That was after the firing had stopped, was it not?—A. Yes, sir.

Q. Did you hear those persons saying anything?—A. I heard Mr. Shadbow tell a colored man to take care of the children and things, but I didn't hear him say anything about the firing.

Q. What did you say he said?—A. He told the colored man who staid with him to take care of his children and his things. After I got across the bridge I heard some of the white people came over and told them if they didn't leave and go home from there, that side of the river, they would go and raise a mob from this side of the river, and that scared the colored people off and they all went home.

Q. Did you see the gathering of the white people in the streets after this firing?—A. After the firing?

Q. Yes, across the river?—A. Coming over in town, you mean.

Q. No, gathered together in groups.—A. No; I didn't stay over there very long to see; I come away.

Q. Did you hear any firing of guns after the firing up there where the crowd was?—A. Not during the day.

Q. No; afterwards, in the evening after the negroes ran up there dispersed after the firing you have described. Did you hear any firing later in the day?—A. No, sir; I didn't hear any after that at all.

Q. Did you see white people gather together with guns, or arms of any kind?—A. I saw they was shooting, and I met them coming up as I was going down.

Q. Did you hear any disturbance that same night?—A. Yes, sir; I was afraid to stay at home; there was shooting, and the neighborhood seemed to be so stirred up we didn't stay at home.

Q. There was shooting, then.—A. Round the neighborhood then; yes, sir.

Q. That night.—A. Yes, sir.

Q. Do you know where it came from?—A. No, sir; I just heard it.

Q. Was it shooting of pistols or guns?—A. It was shooting; I can't tell which; I am not acquainted with them enough to know one from the other.

Q. Were you frightened by it?—A. Yes, sir; I was afraid to stay home; I didn't think the white people had so much against the colored people; certain I was afraid.

Q. Was your husband a voter?—A. Yes, sir.

Q. Had he registered?—A. Yes, sir.

Q. Did he vote?—A. No, sir.

Q. Do you know the reason why?—A. He was afraid to go to the polls.

Mr. VANCE. I reckon she don't know whether he voted or not.

The WITNESS. Yes, I do; he didn't go to the polls.

Mr. LAPHAM. During that evening did you see any white men patrolling around the streets?—A. At night do you mean?

Q. Did you see any white men patrolling around the streets that afternoon?—A. I didn't; no, sir; not before I left town; you see I left town that evening, but I heard shooting.

Q. You went across the river then?—A. Yes; I live across the river.

Q. Well, did you see it there?—A. I heard them shooting round there.

Q. Did you go out of your house after you reached home that evening?—A. Yes, sir; there was but we two, and my husband didn't have no arms, and I was afraid to stay there, and I wouldn't let him stay; just him and I; we didn't have any arms.

Q. You left from fear; then where did you go?—A. I went down to Violet Keeling's and staid there.

Q. You and your husband?—A. Yes, sir.

Q. You mean you shut up your house?—A. Yes, sir.

Q. On which side of the river is your house?—A. I live on the north side.

Q. You are in what they call North Danville?—A. Yes; not exactly in the town of North Danville, sort of on the edge.

Q. How far is it from the place where you went?—A. About a quarter of a mile, I reckon, as near as I can guess at it.

By Mr. VANCE:

Q. When did you hear that shooting in the night?—A. It was after the fuss in the evening, round the neighborhood where I live.

Q. Who was doing the shooting?—A. I didn't see them; I heard it, I said.

Q. You heard guns?—A. Yes, sir.

Q. Whereabouts did you say Mr. Blunt was standing when he was shooting at these people?—A. I was in Mr. Page's door.

Q. Where was Mr. Blunt?—A. He come down on the corner on the right-hand side of the street going up.

Q. What corner was that?—A. I don't know; he turned and shot down towards Swayne & Wiley's factory.

Q. Don't you know the name of the corner he was standing at?—A. I don't know the name of it.

Q. Is it not the market corner in the front of the market?—A. Yes, sir.

Q. Do you know Mr. Blunt personally?—A. Yes; I know his face when I see him; I have been up in his photograph office.

Q. You know it was he who shot?—A. Yes, sir.

Q. Who was he shooting at?—A. Shooting at the colored people running.

Q. What was he shooting at them for when they were running?—A. I thought he was shooting at them to kill them; I don't know.

Q. Don't you know he was shooting in the air to scare them?—A. No, sir; I don't know whether he was trying to scare them or kill them; he was shooting.

Q. You don't know whether he aimed at them?—A. He was shooting that way.

Q. Right in that direction?—A. Yes; right in the direction they were running he was shooting.

Q. How many of them dropped as he shot?—A. I don't think none of them dropped.

Q. Do you know any of the men he shot at?—A. No, sir; I don't know; I might have known them; but then I didn't notice them particularly, because anybody frightened that way didn't take time.

Q. And you were standing at Page's?—A. At Mr. Page's

Q. Well, where you were standing is north of Market street, isn't it?—A. It was on the same side of Market street.

Q. And it was nearly opposite the opera house, wasn't it, where you were standing at Page's?—A. Yes; I think it was.

Q. Now, he was shooting down Swayne & Wiley's?—A. Yes, sir; he shot down that way, and shot the other way; he turned himself and shot.

Q. Now, when he shot down to Swayne & Wiley's you could not see what he shot at?—A. I saw the people turn.

Q. You saw the people turning; but when you saw him shoot down that way you could not tell what he was shooting at?—A. I couldn't tell; don't suppose the man was shooting at nothing.

Q. You couldn't tell, of course, what he was shooting at; he was shooting down street, and you couldn't see down?—A. He was standing on the corner and shooting right toward them, and anybody would take it for granted he was shooting at them.

Q. Yes; take it for granted; but you didn't see anybody he was shooting at, did you?—A. I saw them running.

Q. You didn't see them running after they turned the corner?—A. Yes; I could see a little way down the street.

Q. You were on Main street?—A. Yes, sir.

Q. On the side of it opposite to the opera house?—A. Yes, sir.

Q. Swayne & Wiley's crosses Main street at right angles, doesn't it?—A. Yes, sir.

Q. Now, how can you see down that street?—A. I didn't say I could see all the way; I say I could see part of the way.

Q. You could just see the mouth of the street?—A. I saw them when they turned the corner.

Q. And when he shot he came down to the corner and shot down that street; you couldn't see anybody that he was shooting at?—A. Oh, they didn't get time to get out of the street.

Q. Could you see them?—A. I couldn't see them; but they hadn't time to get out of the street.

Q. That's argument; you say now you did not see anybody that he shot at?—A. I saw the people, as I told you, when they turned the corner; he shot at their backs, the way they were running.

Q. Well, but he did not shoot until they had turned the corner, did he?—A. He hadn't got down to it.

Q. He didn't shoot around the corner, and when he got down to the corner, the people that run in that street were out of your sight; and all that you saw was that he fired his pistol down that way that they ran?—A. The people when they turned, he wasn't very far behind them; they hadn't time to get out of that street.

Q. I didn't say they had; but I say you could not see them after they turned down that street?—A. I could see them a little.

Q. You did not see them when he shot, while they were in that street?—
A. Some of them.

Q. Then he must have been at the corner?—A. He came down to the corner.

Q. Well, but he came down to the corner before he shot, didn't he?—
A. Yes; but when I saw him he might have shot at the time of the other firing; I don't know that.

Q. I know; but when he got down to the corner and commenced firing the people had gone down and were out of your sight?—A. Yes; but the others were not out of my sight, they were running.

Q. Where did they run?—A. I don't know which way they run.

Q. Where were they when he shot?—A. They were running.

Q. I know they were running, but where were they?—A. On the street.

Q. Which street?—A. Main street.

Q. How far from you?—A. Not very far.

Q. Fifty yards?—A. I don't know; I can't certify exactly, because anybody frightened can't tell exactly how far in yards.

Q. You were not so badly frightened but what you could see a man around the corner in another street?—A. Anybody would take notice of a man shooting that way.

Q. How far were they from him when you saw him shoot in the street?—A. Not very far.

Q. Those that had not turned into Swayne and Wiley's?—A. They were not very far.

Q. Well, 20 yards?—A. May be, it might have been 20; may be less; I would say somewhere between them.

Q. It was not more than that?—A. No, sir.

Q. Not more than 20 yards?—A. No, sir.

Q. How many shots did he fire there?—A. I didn't count; can't tell; he shot several times.

Q. How many times did he shoot when he was down to Swayne and Wiley's?—A. He shot several times down that way, and then turned and shot.

Q. How many times do you think he shot all together in your sight?—
A. I don't reckon he shot any less than half a dozen; but I can't certify how many times he shot.

Q. Did he stop and load his pistol?—A. No, sir.

Q. It was a repeater, was it?—A. I don't know what sort it was; it was a great big pistol; I don't know nothing about it; it seemed to be a great long one; I don't know what it was; I never handled any pistols; and don't know one sort from another.

Q. These people at whom Mr. Blunt shot on Main street, were they going up or down the street?—A. Coming down, because everybody looked as if running down.

Q. Then they were shooting right toward you, were they not?—A. Yes, sir; a good many of them passed me.

Q. A good many bullets or people?—A. When they first commenced firing, the bullets or shot or something flew right over my head.

Q. Where were you when you first heard the firing?—A. I was coming up to look, to see if my husband—

Q. I know; I don't ask what you were going up for, but whereabouts you were?—A. I can't tell you exactly the spot, but I was up above Mr. Page's and come back and stood in his door.

Q. And the shots that you heard went over your head?—A. Yes, sir.

Q. Did you hear it strike anything over your head?—A. I don't know; I was frightened and then there was such a smoke.

Q. Could you judge how close it was to you?—A. No, sir; I could hear it; I can't say how close.

Q. Did you hear it whistle?—A. I heard it rattle.

Q. Heard it rattle?—A. Yes, sir; I could hear it singing over my head.

By the CHAIRMAN:

Q. I simply want to get at the locality. [Handing witness a diagram of the street.] Do you understand this; that street purports to be Main street?—A. Yes, sir.

Q. This Market street?—A. Yes, sir.

Q. Now, that is Mr. Joplin's store; in what direction from Joplin's store were you?—A. I don't know Joplin's store.

Q. That is the corner store, on the corner of Market and Main—hardware store—do you know that store?—A. Yes, sir.

Q. This is the opera house; were you opposite the opera house?—A. Yes, sir.

Q. Then you were near the corner, you say?—A. Yes, sir.

Q. That is Joplin's store?—A. Yes, sir.

Q. Where did Mr. Blunt stand; did he stand on the opposite side of Main street from you?—A. Yes, sir; on the opposite side.

Q. In the middle of Market; then that mark, number 22, is where you stood?—A. Yes, sir.

Q. And number 26 is where he stood?—A. Yes, sir; coming down.

Q. Here is the Arlington House; you were coming from this direction?—A. Yes, sir.

Q. And you stopped there at the corner of Main and Market?—A. Yes, sir.

Q. And he stood in the middle of Market on the opposite side?—A. Yes, sir.

Q. Didn't you know that one man fell dead here?—A. I didn't see that.

Q. You don't know?—A. No, sir.

Q. The colored people went down Market street, did they, from Main?—A. Yes, sir.

Q. And he fired from here down?—A. Yes, sir.

Q. This is the place about where you stood on the corner?—A. Yes, sir.

Q. This where Mr. Blunt stood; here's the opera house, and here's the store you speak of?—A. Yes, sir.

VIOLET KEELING sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. I live 2 miles from Danville.

Q. Are you married?—A. Yes, sir.

Q. How long have you lived at Danville?—A. I have been there about eleven years now.

Q. Are you a native Virginian?—A. Yes, sir.

Q. I want you to go on and state in your own way what you saw, on the 3d of November, of the riot at Danville; when you first heard of it, and what you saw, and what you heard.—A. I came over to town. I have to go over to town every Saturday. I work in town. That was my daily occupation.

Q. Who were you working with?—A. I was working in Mr. Holland's factory.

Q. Tobacco factory?—A. Yes, sir. And on Friday evening they stuck up a notice, so I didn't go back on Saturday morning to go to work.

Q. This notice informed you that there would be no work done the next day?—A. No, sir; not to go to work until Monday; and on Saturday evening I came to draw my money. He told us to come at 9 o'clock Saturday morning, but I didn't go, and went Saturday evening to draw my money. And I was down the street in Mr. Arrington's store waiting for a man to come and wait on me, and I saw the white people come into the store door, and I saw the white people run to the store door mightily, and I went to the door and looked to see what was the matter, and I saw white people come running down the street.

Q. Where were you?—A. I was at Mr. Arrington's store.

Q. Where was that?—A. As near as I can come at it, I think it is about five doors from the toll-bridge.

Q. How far from the market?—A. It is a right smart ways from the market, because that is just when you first get into town. As I got up to go to the door to look I heard them say to the man, "That is Hense Lawson fighting." I was acquainted with him, and I heard he and Mr. Noel's son had got fighting, and I said, "I must go up and look after my old man; I don't want them to get beat to death;" and whilst I said that I met several white people running, and went up to Mr. Page's, and whilst I was up there I looked across to the right hand and saw the people starting up out of the opera house, and a white man looked up at the opera house and said something, but I didn't understand what he said, but when he said it they all commenced running down in a big hurry.

Q. Out of the opera house?—A. Yes, sir.

Q. Where were you?—A. I was standing at Mr. Page's.

Q. Was that opposite the opera house?—A. About a door above. I heard the shooting and I run in his store, but came back to see who was doing the shooting; and when I came back to the door I saw the colored people running; and when I saw them running so, I asked what was the matter; and they said they were running to get out of the way all they could. And I saw Mr. Blunt when he came out and shot.

Q. Had there been any firing before this?—A. Before Mr. Blunt shot? I don't know whether Mr. Lea did or not.

Q. Did you hear any firing?—A. Yes, sir; I heard this firing, and while I was standing there some one said "who is that that shot?" I was looking to see them take him up and carry him to jail, but Mr. George Lea run up, said he worked at the Banner warehouse; then I asked where the warehouse was, and found out from Mr. Frank Barnes. It then stopped, I reckon, about 3 minutes, and I heard some one say "Fire!" and the people commenced running, and when the people commenced running I looked across the street and spied Mr. Blunt, being acquainted with his looks—met him every morning. I was very well acquainted with him and I staid around to look, and until I saw all the people had gone but me and Mrs. Powell; but I was certain it was Mr. Blunt shooting, and I am certain he shot.

Q. What did you see; had he a gun in his hand, or what did he have?—A. He had a pistol and was shooting.

Q. Where was he standing?—A. As near as I can tell you he was standing right in between the street if you cross to go to the market square to Mr. Holland's and Mr. Swayne & Wiley's.

Q. Then he was standing right on the market crossing, Market and

Main was it?—A. Yes, sir; he was standing—you cross Main street across this way [Indicating] to Swayne & Wiley's. It was right at the corner of Mr. J. N. Nicholas' bar-room.

Q. What did you see Mr. Blunt do?—A. I saw him shoot.

Q. How did he act; what did he do?—A. He acted like a man provoked.

Q. What did he do with his pistol?—A. He just had it out in this direction. [Indicating.] When he shot he looked down this way. [Indicating.] When the people was running he turned it just in this direction, and then turned and shot and shot. Mr. Blunt was the last man that I saw shoot on the street.

Q. Did you hear the crack of the pistol?—A. Yes, sir.

Q. Could you see the smoke from the pistol?—A. Yes, sir; I was standing looking; didn't run until everybody had left us. I was standing looking, trying to make out what it would be.

Q. You say the colored people commenced running. Did they commence running before the firing?—A. They commenced running when the people hollered. The white people said, "Fire!" and the colored commenced running then; and then, after I went on down the street they were running yet. I didn't know what they were running for, but when the white people said "Fire" they commenced and run all they could. The first pistol fire they got out of the way, and then they came together again—all the white people. The colored people were standing there talking, and when the white people got up there from the opera house, a colored man said (I heard him say it, standing behind me) that he didn't think the white people would do much at what they were going to do, the people run so. I heard him say that.

Q. Mr. Blunt denied firing when the colored people had practically dispersed?—A. Yes, sir; wherever he saw one. It looked like he shot anybody running. That is the way he shot.

Q. Now let me understand you. You had come to get your pay for your work?—A. Yes, sir.

Q. As you were not working that day, and the factory hands were not, the factory was not running?—A. No, sir.

Q. And, as you were at this place not far from the bridge, you heard an alarm and people were running to a fight, and you heard Hanse Lawson was connected with it?—A. Yes, sir; being acquainted with him.

Q. And you walked on up then to the corner of Market and Main, to that grocery?—A. Yes, sir.

Q. And then you were there when the first pistol was fired?—A. I was there when Mr. Lea shot in that gang, and the other men about five or ten minutes after he done that shooting.

Q. You heard a single pistol shot; you cannot tell who shot it, but some minutes after that you heard some one cry out "Fire!" and a general firing commenced, and the colored people scattered?—A. Yes, sir.

Q. From where you stood could you see the crowd of colored people across the way?—A. Yes, sir.

Q. Did you see any weapons in their hands?—A. No, sir; I didn't see them have anything. It looked like they were running—trying to get out of the way.

Q. When they came by you did you see any weapons?—A. No, sir.

Q. Did they have any guns?—A. No, sir; I never saw anything of the kind.

Q. What sort of people were they; women and children, or men?—A. Colored women; no white women on the street that day; if they

came out they came out in the morning; there were none on the street that evening.

Q. There were no white women, then, that evening?—A. No, sir.

Q. Did you meet any on the street that afternoon?—A. Any ladies?

Q. Yes.—A. No, sir; there was not any white ladies on the street that day.

Q. Any women and children?—A. Yes; colored women and children, running and screaming and hollering, and running into stores.

Q. Was that unusual, not to see white ladies out that afternoon?—

A. As a regular thing you might see them out sometimes Saturday evening; but Saturday afternoons it is the custom and rule to see none but workingwomen on the street.

Q. Were there any white workingwomen that you saw about that day?—A. No, sir.

Q. Then you say when the firing proceeded the colored people dispersed; what occurred then—what did you do then?—A. I went across the bridge and went on still to look for my husband. I wanted to find him, and happened to come across him and told him not to go up street, because the white people looked like they wanted to kill the colored people; to come on and go home.

Q. Were you in North Danville?—A. No, sir; in South Danville. And happened to look back and saw the white people coming down close to the toll-bridge, and I insisted on Keeling coming out of town—I didn't want him killed, and went on over the river. And about that time Mr. George Abbott and Mr. Billy Abbott came and said, "You had better all go away now. I want you all to go away and let things quiet down, because they are coming armed down the street." I spoke then, and said, "They didn't rouse the town to shoot; you have done harm enough; they ought not to follow them over the river."

Q. You went on home, did you?—A. Yes, sir; I went on from there home.

Q. What condition were the colored people in that night?—A. I suppose I can't speak for any one but myself; but they that was right around there, they didn't have any sleep at all; they didn't know what hour or what time they might come in on them, and most of them around the neighborhood were staying up and clustered together Sunday down at my house and another lady's house, setting down talking about it—they was not going to town and how they were going to vote and all, and they were afraid to stay at home and staid at one another's. Where there were two together they wouldn't stay.

Q. Do you know whether your husband voted at that election?—A. Yes, sir; I know whether he voted. He didn't vote.

Q. Why didn't he vote, if you know?—A. I will tell you the reason he didn't vote. I didn't want to trust him at the ballot-box, because life was better to him than the ballot-box, and I thought it was best for him to stay at home and save his life. My husband didn't even have a pocket-knife; I had a little pen-knife and I took that. He didn't even have a pocket-knife, and I thought it was best to take that even going to my work.

Q. In other words, he was afraid to go to vote?—A. Yes, sir; and I was afraid to go to work.

Q. Didn't I understand you to say that you staid away from your work on election day?—A. Yes, sir; I staid at home that day.

Q. Was there a general fear among the colored people that this trouble would break out again on the day of election?—A. I will tell you what way I looked at it, the way they talked when I would get in the

presence of them, it seemed they were all afraid to go to the polls as bad as they wanted to vote, which I believe every colored one there was a Republican and wanted to vote.

Q. Were they afraid to vote?—A. They were afraid to vote.

Q. Did that fear grow out of this firing on the 3d of November, you have described?—A. I don't believe they got really over that until to-day; up to this present time.

Q. Did their staying away from the polls grow out of that fear? Did they stay away from the polls from the fear that grew out of the firing there on Saturday?—A. Yes, sir; they staid away and I reckon it was better; and most of them staid home and didn't go about, and I saw less pass on the day of election amongst the colored people than I ever did.

By Mr. VANCE:

Q. Do you think your husband has got over his scare yet?—A. He says if it continued like it is, which I like to see him vote all the time, when the time comes to vote, I like to see him go to the poll and vote, and I asked him if he would vote and he said that if it continued like it was he didn't think he would ever go and vote any more.

Q. Didn't think he would ever vote any more?—A. No, sir.

Q. Are any of the colored people in your country Democrats?—A. I don't know; I don't have nothing to do with that sort.

Q. I ask you if any of them are Democrats?—A. I am telling you just what I know; I don't have nothing to do with them, and don't find them.

Q. Well, are any of them Democrats?—A. Sir?

Q. You heard the question.—A. No, sir; I didn't heard.

Q. Are any of the colored people Democrats?—A. I don't know; I don't ask them; because I generally talks with them like myself. I don't have much to do with people. But, as for my part, if I hear of a colored man voting the Democratic ticket, I stay as far from him as I can; I don't have nothing in the world to do with him.

Q. You don't speak to him?—A. No, sir; I don't allow him to come in my house.

Q. That is not the rule among all the colored people?—A. I don't know for anybody but myself.

Q. Why do you have such a dislike to a colored man that votes the Democratic ticket?—A. I will tell you as near as I know. I think that if the race of colored people that has got no friends nohow, and if they don't hang together they won't have none while one party is going one way and another the other. I don't wish to see a colored man sell himself when he can do without. Of course we all have to live, and I always like to have a man live even if he works for 25 cents a day, but I don't want to see him sell himself away.

Q. Cannot a colored man vote the Democratic ticket without selling himself?—A. I think if a colored man votes the Democratic ticket he has always sold himself, because the white man is no friend to him any-way.

Q. Now, when you find a white man voting with the colored people, don't you think he sold himself?—A. I will tell you what I think of him. I think he is a man who has a judgment of his own head, and knows what he is doing.

Q. Then you think very well of a white man who sells himself, because he is a man of judgment?—A. I think he knows what he is doing.

Q. But the darky you don't think has got as much judgment as the

white man?—A. I think that is his business. Why I think so the colored people—the old race where I grew up—very few of them ain't got sense enough to vote, but can't be led off by Democrats, I know that.

Q. Well, who leads off these white men now?—A. I reckon they look after their own. I reckon justice take them in heart and their consciences lead them to vote the way they want to vote, and they got the head to lead them on.

Q. It is a pretty general rule down there, that if a colored man sells himself you won't have anything to do with him?—A. If I knew a colored man that voted the Democratic ticket to come to my house, I would tell him to go somewhere else and visit.

Q. Suppose your husband should go and vote a Democratic ticket?—A. I would just pick up my clothes and go to my father's, if I had a father, or would go to work for 25 cents a day.

Q. Are not most of the colored people of the same way of thinking as yourself?—A. I don't know anybody but just myself.

Q. But you talk with them?—A. I don't have much to do with anybody, because I don't think anybody around that neighborhood is as big a fool as myself. I am a fool because I have nothing in the world to do with any face any whiter than my own.

Q. Are not the white people down there good friends to the colored people?—A. Yes, friends to them; rather kill them.

Q. But you said in your testimony, if I recollect aright, that you were astonished; that you did not believe the white folks had anything against the black folks.—A. No, sir; I didn't say that, but I believe by hearing several of them talk, that I knew they must have had something in their heart against them, because they said they feared the colored people were going to carry the election, and I believe they had something against them on account of that.

Q. Where were you when the firing began, how close to the place?—A. As near as I can come at it, to tell you where I was, I was at Mr. Arrington's store; may be, I will say, between four and five doors from the toll-bridge, standing there waiting for my money.

Q. That is where you first heard the firing?—A. That is where I first heard the pistol fired, and I thought I would go up and see; and I heard that Mr. Noel's son and Hense Lawson were fighting, and they had beat a man near to death; and I thought I would go up and see, and see where my husband was, and whilst I went up I looked across the street and saw a great many whites was clustered about the opera house.

Q. They were in the opera house, were they not?—A. No, sir; they were sitting up in the opera house.

Q. Well, I said they were in the opera house.—A. Yes, sir; they were in the opera house; and I called my attention over there to look at them while I stood to look at them, and was amazed at them to see them sitting up there, knowing the said business, and I kept on up the street and got against Mr. Page's; and whilst I was standing there I heard some one say, "Who is that fired here; who is that shot that pistol," and Mr. Lea walked up.

Q. You were then in front of Page's.—A. I was standing in Page's.

Q. Where was George Lea?—A. He was right there at the corner, at Jones's drug store.

Q. He was not at Wolfolk & Blair's?—A. He was at Jones's drug store. I don't know whether he had fired; there had been some firing, but I was not present.

Q. Were all the balance of the whites and blacks there when he said

that?—A. All the colored were there then, and the policeman, Mr. Bob Adams.

Q. How far were they from you?—A. They were on one side of the street and I on the other.

Q. You were right on the opposite side of the street?—A. I was within about two doors from the market.

Q. Tell what you heard George Lea say then; who was it that called to know who shot that pistol?—A. I could not tell you; a large crowd of them was up together.

Q. Was it a colored man or a white man?—A. I don't know who it was; I don't know whether it was white or colored.

Q. What did he say?—A. He said that George Lea——

Q. He said he was the man.—A. He said it was George Lea that done the shooting, I understood him to say; he said that he shot in that gang. Some one asked him who shot that; he said George Lea, that worked at the Banner warehouse.

Q. What took place then?—A. Then, at that time, some one said—I don't know who—but some one said “Fire,” and when he said “Fire” I saw Mr. Lea make two steps out midway of the street, and when he stepped out he commenced to shoot, and then the people commenced to run. They were running all they could, and when the firing was so hard I made my escape and run back in Mr. Page's store, and came back to look to see who was doing the shooting.

Q. Now, you say that Lea and the white folks with him that did the firing were in front of Jones's drug store.—A. Mr. Lea was not in front of the drug store. They were standing there near against Mr. Nicholas's bar-room.

Q. You told me just now, as I understood you, that it was in front of Mr. Jones's drug store.—A. I said this: when I saw Mr. Lea holler, and he did the shooting, he was standing on the corner against the drug store.

Q. And then immediately after he said he did the shooting the firing began?—A. Yes, sir; some one said “Fire.”

Q. Where were all the people standing when the command fire was given?—A. The white people were standing near midway of the street as you go to Mr. Holland's factory, against Mr. Nicholas's bar-room, and when he commenced firing the people commenced running in every direction.

Q. Where were the colored people standing?—A. They were standing in the middle of the street.

Q. And the white people were standing about half way into the middle of the street.—A. They were; done got off the walk way.

Q. When the command was given.—A. Yes, sir.

Q. That was in front of Nicholas's bar-room on one side, and Jones's store on the other?—A. Between Mr. Nicholas's bar-room and Mr. Page's shoe-store; that was the street that runs there.

Q. You say this didn't occur in front of Woolfolk & Blair's office?—A. I don't know where Woolfolk & Blair's is, but I know where the shooting was done.

Q. How far were you from the parties when these words were spoken?—A. I was on one corner of the street and they were down in the middle.

Q. Were you on the opposite side of the street?—A. I was right on the corner of Market, and they were about midway of the street that goes to Market.

Q. They were about midways of the street that leads up to Market; whereabouts did you say there were?—A. The white people?

Q. The colored people?—A. They were then in the middle of the street just around—

Q. Between what stores, so I can tell where it was.—A. They were not in between any stores.

Q. Well, there were stores on both sides of the street.—A. The colored people were standing in most every direction. I cannot tell certainly where they were standing, but I know they were standing all to themselves in most every direction; standing looking.

Q. Well, the white people were all close together?—A. All that came out of the opera house went out there.

Q. They didn't come up there until after the firing was over, did they?—A. No, sir; the firing didn't commence really until they got up there.

Q. You stated a while ago they were all sitting up in there?—A. They were sitting there, but all come out and went up.

Q. Was not the firing over before they got up there?—A. The white people were running when the man looked up and asked the question, but I don't know what he told them, but they came down and went up there.

Q. Was not the firing over before they got up where it was?—A. No, sir; it was not over. They hadn't been there two minutes before the firing commenced, and right smart shooting was done after they got up there.

Q. How many got up there before the shooting was done?—A. All in the opera house got up there.

Q. They all got down.—A. They all came out.

Q. All got up before the firing began?—A. Yes, sir.

Q. You saw Mr. Blunt do some of the shooting, did you?—A. I saw him do some of it, too.

Q. Where was he when he shot?—A. He was standing between Mr. Nicholas's bar-room and Mr. Page's shoe store. He was standing right on the corner that branches off from the market.

Q. Where were you standing then?—A. I was standing at Mr. George Page's.

Q. You had moved then, had you, from the upper place?—A. I was standing there to see, after I run a little ways; after the first shot I run off that way and staid awhile, and then when they commenced firing so I went into Mr. Page's, and came back again to see who done the shooting, and I saw Mr. Blunt, being acquainted with his features, and I stopped to look at him.

Q. Down what street was he shooting?—A. He was shooting every one he saw to shoot at.

Q. Yes, every one he saw to shoot at; but in what direction; where they were?—A. He was shooting upstreet, and down-street, and across to the market.

Q. Did he shoot up and down Main street?—A. Yes, sir; he shot across the market, and then he shot across towards Mr. Holland's factory.

Q. He shot towards the market, and then he shot towards Mr. Holland's factory?—A. He shot four ways: down the street, up the street, and across the street.

Q. Did he shoot up Market street any, where it crosses Main; did he go down and shoot up?—A. He shot across Market street across to the market, and he shot up towards the opera hou .

Q. Did he shoot at anybody?—A. Well, the people were running,

and I don't know whether he was shooting at the people or not. I know he was shooting the way they were going.

Q. But whether he was aiming at them, or trying to kill, you don't know?—A. I will tell you how it was with him; I won't say for certain, but it seems he was shooting about a man's height, and didn't care whether he hit.

Q. How could you tell he was shooting a man's height?—A. I know he didn't try to shoot up over his height.

Q. How could you know; you could not see where the bullets went?—A. I don't know that; you can go down and see them.

Q. Where did they go?—A. They went into the corner of the shoe-store.

Q. What shoe-store?—A. Mr. Hicks'; went into the corner of Mr. Hicks' shoe-store, and into Swayne & Wiley's. In the corner of his factory you can see where the bullets went in about a man's height.

Q. That is on Market street, is it not?—A. That is on Market street, but above and across from the market, going over on the right-hand side; the market is on the left-hand side.

By the CHAIRMAN:

Q. I have a map here that I want you to understand before you answer me. This [exhibiting map] represents Main street, and this represents Market street. You came from the bridge, which is down this way [indicating], up this way about nearly opposite the opera house. Did you stand on this corner?—A. Yes, sir.

Q. You stood on the corner, that is No. 23?—A. Yes, sir.

Q. And you say that Mr. Blunt stood in the middle of Market street on the line of Main?—A. Yes, sir.

Q. That is the place then, is it not [indicating]?—A. Yes, sir.

Q. You understand these streets? Is this the line of the colored people retreating down Market; turning from the right and going down this way?—A. Yes, sir; they were running down Market and down Main.

Q. And the firing, therefore, from where he stood was down this way [indicating] and down this way?—A. Yes, sir.

Q. Now, Governor Vance has asked you about the colored people, you especially, having very strong feelings of opposition to the Democratic party. Tell us why that is so.—A. Well, I will tell you why I think so. I may be wrong, but I think this way: I think if a colored person votes the Democratic ticket he have no privilege, and if he vote the other he may have some, for he haint got not none no how, and what little he have he wants.

Q. Have these scenes that you witnessed that day anything to do with your feeling with regard to the Democratic party?—A. Sir?

Q. I will ask you who were these people who fired upon the colored people that day; were they Democrats or Republicans?—A. I don't think he could say he was a Republican.

Q. Does your feeling of hostility grow out of the fact that you think the Democrats have done you wrong?—A. Yes; I really think so.

Q. Is that the ground of opposition? You know there are kind, good people among the Democrats, I suppose?—A. Yes; and I believe if they treat the colored people right, the colored people was humble they bound to treat them right.

Q. Then, if they treat the colored people like men and women, many of them would vote the Democratic ticket?—A. I will say this much.

I will say a Republican should vote the Republican ticket; and I believe a man half a Republican and half a Democrat will do anything.

Q. Your feeling all grows out of the way they treated you?—A. Yes, sir.

Q. Why do you dislike the Democrats?—A. I will tell you because the reason why I say so. Whilst I think that the colored people ought to vote with the colored and the white with the white, and let them stay to themselves, I believe if they vote together they would be better off.

Q. Is it because they have to vote separately at different places, and have not the same rights; is that what you mean?—A. As to the rights, all I say about the rights, I think if the colored people would look like they wanted to, and would behave themselves to the white people, the white people might treat them tolerably well. They are not going to treat them right if they vote with them. They think if they buy them for 10 or 15 cents they don't amount to anything.

Q. And you think the white people don't like some of the colored people because they sell themselves?—A. Yes, sir.

Q. And in that way those who sell themselves bring themselves into discredit?—A. Yes, sir; these people that sell themselves I don't want anything to do with.

By Mr. VANCE:

Q. What rights have the Democrats deprived the colored people of?—A. I did not say certainly they have deprived them, but they will do it if the colored people sell votes. The white people say, well, we will do it anyway, and then buy them back at voting time.

Q. Who tells you your rights will be taken away?—A. I don't ask anybody to tell me; I can know and feel for myself.

JAMES G. MILLER sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. Four years.

Q. What is your business?—A. Manufacturer and dealer in fertilizers.

Q. Were you in Danville on the 3d of November last?—A. I was.

Q. You saw and heard something of this contest, did you not?—A. Yes; I saw some of it.

Q. What is the first you saw or heard of it?—A. I saw at first some little excitement on the street right opposite my business house, and at the same time saw a white man and colored man fighting. They had clinched, and seemed to be pummeling one another, or scuffling. At the same time I saw a white man stand near by with a pistol in his hand, with a considerable crowd of colored people standing near by; after the fight was over, which didn't last very long, there was a considerable crowd of colored people between me and the two men who were fighting.

Q. Did you hear any outcry from either of the combatants, before they were separated?—A. No, sir.

Q. Didn't you hear Lawson hallo enough?—A. I heard some of the parties present say he said it.

Q. Didn't you hear him make any outcry of any kind?—A. I did not.

Q. Did not you hear the cry of murder?—A. I did not.

Q. You have learned since, or learned about that time, didn't you, that those two persons were Noel and Lawson?—A. Noel and Lawson.

Q. Were you examined before the committee of forty?—A. I was.

Q. You say now you saw one man standing near with a pistol?—A. I saw one man at first, but very soon afterwards I saw a second.

Q. I will read you this statement:

During the fight of Noel and Lawson, from the time that I first saw them, three white men, with their pistols drawn, stood very near, and around Noel and Lawson, who were fighting.

A. I did afterwards see another.

Q. I ask you if this statement was in your deposition?—A. I think it was.

Q. So that, in all, you saw three white men standing there?—A. I saw in all—I didn't see them at once, at first. As the fight progressed I saw the three.

Q. Before the combat finished there were three white men, with drawn pistols, standing around them?—A. Yes, sir; three white men.

Q. Go on now from that point. After the separation of the combatants what further occurred?—A. There seemed to be some slight abatement in the excitement, until a colored man sprang forward from the crowd, which was very dense, and seized either one of the white men that had a pistol or his pistol, I won't be positive which, and they both fell to the sidewalk, and very soon I couldn't see through the crowd, but very soon the same colored man jumped up and ran round the crowd.

Q. Ran towards the colored people?—A. Ran towards the colored people, and had gotten around the crowd, and was making his way off at that time, and the pistol was fired.

Q. Fired from where?—A. From the sidewalk.

Q. From where the white people stood. It was fired toward him as he was running?—A. Toward him, it seemed to be.

Q. Do you know who fired it?—A. I do not. The next thing I saw was a white man in the midst of the crowd; a considerable excitement was getting up about that time. I don't know that I stood at the door all the time, but the next thing I saw was a white man standing in the midst of the colored crowd beckoning, talking to them as if he was trying to disperse them, which I learned afterwards, from him, he was trying to do. They began to gather. The colored people seemed to be not at all disposed to disperse, and I saw the white people were gathering, too, and I commenced to close the door of the store. Before I got through closing the door they commenced firing.

Q. Who commenced firing?—A. I don't know who fired. I didn't see any of the firing, but I heard it. I wasn't looking in that direction at the time. I was trying to get the doors closed.

Q. Did you see white people coming up there?—A. Yes, sir.

Q. After this struggle about the pistol?—A. Yes, sir.

Q. Did you notice what the colored people did when the firing commenced?—A. They broke and fled as fast as they could, so far as I could see from the door, which was partially closed or nearly closed.

Q. The colored people dispersed as soon as the firing began, did they?—A. Yes, sir.

Q. Did they run or walk away?—A. They ran, I think.

Q. Were there shots fired after them as they were running?—A. I didn't see any.

Q. Did you hear them?—A. I heard shots fired.

Q. After they began to run?—A. I heard shots fired, but it didn't

last but a very short time; I suppose that they run just as soon as they commenced firing.

Q. Did you see any colored men with arms?—A. I did not.

Q. Don't you know that shots were fired after the colored people began to run away?—A. I don't know it.

Q. Did you not hear the shots?—A. I heard the shots, but the door was closed.

Q. Shooting continued after they commenced running?—A. The shooting continued for a short time.

Q. Until they had entirely dispersed?—A. And I opened the door to look out, and the street was pretty clear.

Q. You did that immediately after the firing ceased?—A. Pretty soon after the firing ceased.

Q. Where were the white people then?—A. Some few on the sidewalk, and scattered about.

Q. They hadn't fled from the street?—A. I saw some there that were there when the firing commenced, but they had scattered to some extent.

Q. Can you name these three people whom you saw with drawn pistols around Noel?—A. I could give the names of two of them.

Q. Well, give the names of the two?—A. One was Mr. Taylor and the other was George Lea.

Q. You knew them at that time, did you?—A. Yes, sir.

Q. Were you near enough to hear anything either of them said?—A. I was not; I was across the street.

Q. I think you stated you were standing about 60 feet away?—A. Well, the width of the street. I was standing in a store door.

Q. And they were on the opposite side?—A. They were on the opposite side, close up to the sidewalk.

Q. Can you state what white man it was who fell on the sidewalk?—A. Mr. Lea fell when this colored man sprang at him.

Q. Who was the colored man who sought to take his pistol from him?—A. I didn't know him; he was a very large man.

Q. You have not since learned who he was?—A. I have heard who it was, but I don't know.

Q. Have you seen the same person since?—A. I don't know that I have.

Q. Where were these three white men with pistols standing when the colored man sprang forward to seize the one that Lea had in his hand?—A. I didn't see but one whose pistol was seized standing at the time.

Q. Whether the other two remained or not you cannot state?—A. I cannot positively; I suppose they were there, though I don't remember to have seen them.

Q. Do you know where Noel and Lawson or either of them were?—A. I didn't know anything about Lawson, but Noel came over to the store where I was doing business.

Q. Before the firing commenced?—A. Before the general firing commenced.

Q. For what purpose did he go there?—A. Well, he had a relation living in the same house, and he might have come to wash himself.

Q. He was bloody, wasn't he?—A. He was not very bloody, but bloody to some extent.

Q. Well, he was bloody enough to be washed?—A. Yes, sir.

Q. Was there any such fleeing of white people as of colored people when the firing began?—A. I didn't see it.

Q. While the blacks separated and fled the whites remained; that is,

they didn't break up and go away?—A. They didn't break up, no, sir; they immediately assembled in front of the Arlington Hotel, and the town sergeant ordered out the Danville Grays——

Q. I don't care about all that. Didn't you hear any exultation from them before they went up to the Arlington?—A. I heard one man say, "We have got them on the run."

Q. Didn't you hear anything said about the Democracy having a triumph, or "Hurrah for we Democrats," or any expression of that kind?—A. No; I have no recollection at all of that.

Q. But you heard one man say, "We have got them on the run"?—A. That is what I understood him to say. He was on the other side of the street.

Q. Do you know who he was?—A. Yes, sir.

Q. Who was he?—A. It was Mr. George Lea.

Q. You heard Lea himself say that?—A. Yes, sir.

Q. You understood by that that he meant the colored people, didn't you?—A. Yes, sir; I understood him to mean the colored people.

Q. Did you see any evidence that the white people who were standing there were in any danger from any cause?—A. I did, sir; I expected to see a mob.

Q. What could a mob do against men who were armed?—A. There were only a very few white men there, and I didn't know but what the colored people were armed too.

Q. You did not see any arms?—A. No, sir; I didn't see any, but I heard persons say that they had arms among them.

By Mr. VANCE:

Q. Where was this little crowd of white people standing when the difficulty occurred?—A. They were standing in front of Woolfolk & Blair's office.

Q. Where is your place of business?—A. Right on the opposite side of the street.

Q. Just the width of the street between?—A. Just the width of the street between me and the office.

Q. Where is Mr. Jones' drug store?—A. Mr. Jones' drug store is the corner house on the same square, below.

Q. You say from where you were you could not hear what was said in the crowd?—A. No, sir; I could not.

Q. Do you think it reasonable that that colored women (Sophia Powell and Violet Keeling) could have heard down to the drug store what was said in the crowd?

Mr. LAPHAM objected.

By Mr. VANCE:

Q. How far is it down to Jones' drug store from where they stood?—A. Right diagonally across the street.

Q. And below?—A. Yes, sir; I reckon it is 650 yards, diagonally.

Q. From where they stood, diagonally across to the market, in front of Jones' drug store, would be 650 yards?—A. Yes, sir.

Q. Now, how far is it from there down to Mrs. Page's, spoken of here by the witness?—A. It is the width of Market street and about half of the other square, which is, I reckon, at least 60 yards from Jones' drug-store.

Q. Sixty yards from the drug store?—A. Page's is on the same side of the street.

Q. Could the witness, standing in front of Mrs. Page's, see up or down

Market street?—A. Yes, sir; they could see up and down Market street from Page's store.

Q. From Mrs. Page's, I mean?—A. Yes, sir.

Q. That is on Main street, is it not?—A. Yes, sir.

Q. About 60 yards below Market?—A. Yes, sir.

Q. Well, Market comes across Main at right angles?—A. I say it is 60 yards from Jones' drug store, which is on the west side of the street.

Q. That would be 60 yards deducting the width of the street?—A. I say it is 60 yards to Mrs. Page's; that is the width of Market street and half a square.

Q. Now, when standing there could they see up or down Market street, except right at the crossing?—A. Yes, sir; I think they could see.

Q. Isn't it built up closely on both sides of Main street, up to Market?—A. Yes, sir; they could see up and down Main street.

Q. I don't mean that; I mean could they see down Market?—A. Oh, no; certainly not.

Q. Did you see anything of Mr. Blunt firing at any of these parties on the retreat?—A. I didn't see Mr. Blunt until after the streets were cleared, and quiet was somewhat restored. He was not firing when I saw him.

Q. Did you see any weapon he had on him?—A. Yes, sir; I think he had two pistols in his hand or around him.

Q. Did you see whether any of them had been emptied or not?—A. I did not; never heard.

Q. You only saw men in the crowd talking to the colored people who afterwards told you they were trying to keep the peace?—A. That is all.

Q. You didn't hear what Captain Oliver said?—A. No, sir; I saw him, and heard he was trying to keep the peace, and a man by the name of Booth.

Q. Now, Mr. Lapham asked you the question if you thought there was any necessity of any fear reasonably entertained by that crowd of white people there?—A. I thought there was great ground for fear.

Q. Why did you think so?—A. Well, sir, there were very few white persons present.

Q. How many do you think, in your best judgment?—A. At the time it commenced I don't remember to have seen more than three or four.

Q. That was the first fist fight.—A. That was the first fist fight that was at the time when the first pistol was fired, soon after the fight and before many white people began to gather up, and I fully expected to see the general attack.

Q. The general attack.—A. Yes; by the colored people that were standing in the street.

Q. Were they saying anything; did they appear angry or restless?—A. I did not hear a word they said, but they seemed to be very stubborn.

Q. Were they pressing up to the white people?—A. They were as close up to the sidewalk as far as I could see, as they could get without getting upon it, and very close together.

Q. Just at the moment of firing, how many colored people do you think were there?—A. At the moment of firing I was closing the door; they were gathering all the time, but just prior to that I would suppose there were from one hundred to one hundred and fifty at least.

Q. Were there many women and children among them?—A. I don't remember to have seen a single one; there might have been some there.

Q. You saw no weapons in the hands of the colored people?—A. No, sir.

Q. After the firing was begun could you judge from the sound and character of the firing, whether they were using guns or pistols?—A. I could not.

Q. How long did the firing keep up?—A. A very short time; I don't suppose it lasted a minute.

Q. You think that those men who fired had a reasonable apprehension that they were about to be mobbed by overwhelming numbers.—A. I certainly felt that way.

Q. You felt that way as a looker-on.—A. Yes, sir; as a looker-on.

Q. Had the people from the opera house come up by the time the firing began?—A. They had begun to come; that is one reason I closed the doors.

Q. They began to pour out, I suppose, as soon as the firing began.—A. Well, they were coming up rather scattering at the time I closed the doors, and just before the firing commenced; very few had come.

Q. And those people who reinforced the three white men, you say they came from the opera house or other directions.—A. No, they would fall in from other directions.

Q. Was there any expectation of this riot by the white people, any preconcerted design to bring it about for the purpose of keeping them from voting, or anything of that sort?—A. No, sir; no preconcerted design for that purpose. I think there was a general apprehension there would be some disturbance on the day of election.

Q. What was that apprehension caused by?—A. I suppose it was caused by the excited state of political excitement at the time growing more especially out of a speech that Mr. Sims made there on the night before. It was a very exciting contest up to that time.

Q. That had inflamed the minds of both whites and blacks, had it?—A. Yes, I think so.

Q. I will ask you if you know what kind of treatment is measured out to any black man there who votes the Democratic ticket or tries to do it.

Mr. LAPHAM. You are to speak of your own knowledge, Mr. Miller.

A. So far as my knowledge is, I don't know; my actual knowledge.

By Mr. VANCE:

Q. Have you any information on that subject derived from colored men themselves?—A. I have.

Mr. VANCE. That is competent, I think.

(Mr. Lapham objected.)

Mr. VANCE. Now, Mr. Miller, coming back to the riot, you say you are of opinion that those men were under a reasonable apprehension at the time they fired. Do you think from what you saw that they fired any longer or more than was necessary provided their original fears were correct?

A. I am not prepared to say what would be necessary. I am satisfied there was not as much firing as some report there was done.

Q. Do you think there was any firing done out of a spirit of cruelty?—

A. I have no idea there was anything of that sort.

Q. Do you know, or have you any information tending to show that a portion of the firing was done in the air for the purpose of scaring?—

A. I have no doubt a considerable portion of it was.

Mr. LAPHAM. I submit that is no answer. He did not even see it.

By Mr. VANCE:

Q. Was there any difficulty in restoring order after that?—A. None at all.

Q. The people attended the meeting at the steps of the Arlington, and heard the speech of Colonel Cabell, who exhorted them to submit to order and keep quiet.—A. Yes, sir; and go to their business.

Q. And they did so; all except the Danville Grays and such as had been appointed special police.—A. Yes, sir.

By Mr. LAPHAM:

Q. Your first answer was that the witness examined before you could, from the position described by her, have seen along Market street for some distance.—A. I understood him to say Main street.

Q. Why, of course, a person in Main street could see along that street.—A. Decidedly. Well, I understood him to say Main street; of course, they could not see on Market street. Mrs. Page's was the point I was inquired of; if they could see up and down Main street.

Q. She stood on the corner.—A. I misunderstood the question if he said on Market street, because I understood him to say on Main street.

Q. Yes, and at Mrs. Page's.—A. Yes; a person could see up and down the street on Main street, but not Market.

Q. No distance on Market.—A. No, sir.

Q. Could not they see the entrance?—A. They could see where Market turns off Main street, but not down Market street.

Q. But they could see people running into Market street, couldn't they?—A. It is at right angles exactly with Main street.

Q. Now, a person coming up to the corner of Main and Market could, of course, see along Market street, couldn't they?—A. Of course, if they came to the corner of Market, but at Mrs. Page's they could not.

Q. Well, this witness speaks of standing at the corner.—A. Of course they could see on the corner of the street; corner of Market and Main.

Q. Where do you say you first saw Mr. Blunt?—A. I don't remember exactly the spot. It was after the streets were cleared.

Q. It was after you had reopened your store, wasn't it?—A. Yes, sir.

Q. When you went into the street?—A. Yes, sir.

Q. Now, tell me as near as you can, where it was.—A. Well, I must confess I don't remember.

Q. He had two pistols in his hands.—A. Yes, sir.

Q. And that did not impress you?—A. No; not especially as to the spot.

Q. Which way was he going?—A. I think he was going up Main street.

Q. From what direction?—A. From the river.

Q. Main street does not go to the river, does it?—A. Yes, sir.

Q. You don't know whether he was running out of Market street or coming up Main.—A. He was not on Market street; I saw him on Main.

Q. You don't know but he had came out of Market street, do you?—A. No, sir; I do not.

Q. How was he holding those pistols?—A. I think he had them in his hand.

Q. One in each hand.—A. I think so; I am not positive about it.

Q. Whether they had been fired or not you are unable to say?—A. I don't know.

Q. They were revolvers, were they not?—A. I suppose so; I didn't examine them; didn't say a word to him.

Q. As near as you can state where he was; was he above Market

street on Main when you first saw him?—A. I don't think he was, but I am not positive.

Q. Well, was he about at the intersection of Market and Main?—A. My recollection is so indistinct as to that I am not prepared to say. I saw him somewhere on Main street.

Q. But after the violence was over and the colored people had fled out of sight you saw him coming with two pistols up Main street?—A. Yes, sir.

Q. By your place of business?—A. I don't know whether it was above or below my place of business. I saw him somewhere on Main street, but as to the point I am not certain.

Q. You didn't go out of your store, did you?—A. No, sir.

Q. Then you saw him somewhere along there?—A. Yes, I saw him somewhere on Main street.

Q. What he had been doing with those pistols you don't know, of course. Had you ever known the colored people in the four years you had been there to endanger the safety of the whites by any riotous demonstration?—A. I don't know that I have.

Q. Why did you close the door of your store?—A. Because I saw that the mob, or the colored people, were very stubborn. They could not disperse them, and I saw more white men coming up.

Q. Where would the shots come from that would strike you?—A. They would come from the other side of the street.

Q. What other side?—A. The north side.

Q. Who were there?—A. The white men were there.

Q. You closed your door because the bullets fired by white men might reach it?—A. Yes, sir.

Q. And you kept it closed until the firing was over?—A. Yes, sir.

Q. The people coming from the opera house came directly towards you, didn't they?—A. No, sir; they came on the other side of the street.

Q. Well, they struck Main street where the gathering of the white people was?—A. The opera-house is on the same side of the street, only lower down.

Q. They came up Main street, then, to where the white people were standing?—A. Yes, sir.

Q. And if the whites fired at the black men they would fire in the direction of your store?—A. Yes, they would.

Q. And you closed your store for that reason?—A. Yes, I did.

By the CHAIRMAN:

Q. Something was said about politics. What are your politics?—A. Well, sir, I have been a Conservative. I was an Old Line Whig before the war, and I hardly know what I am since.

By Mr. LAPHAM:

Q. You know with which party you act in Virginia?—A. I have voted with the Democratic party ever since the war.

W. E. SIMS sworn and examined.

The CHAIRMAN [exhibiting diagram]. Here is what purports to be a map of a portion of Danville, together with an index giving references to certain figures and places. I wish you would look at it and say whether you are acquainted with the locality, and whether it is a correct map and a correct index of the figures referred to. I do not ask

you in regard to any fact involved in the controversy, but only as to whether it is a correct representation of the *locus in quo*.

The WITNESS. I prepared that paper and prepared this index. I am familiar with the place where this affair is said to have occurred. I made this plat from my knowledge of the locality, and the marks and figures I took, not from any knowledge of my own, except as to houses and streets. The position of witnesses I only took from the depositions of witnesses taken in my contested election case in the senate of Virginia, where I am contesting the seat of John L. Hurt, and from the testimony taken before the committee of forty, *ex parte* testimony in Danville. From this testimony of witnesses I have located witnesses, and I think it is accurate. I do not mean mathematically accurate, but it describes the situation of affairs.

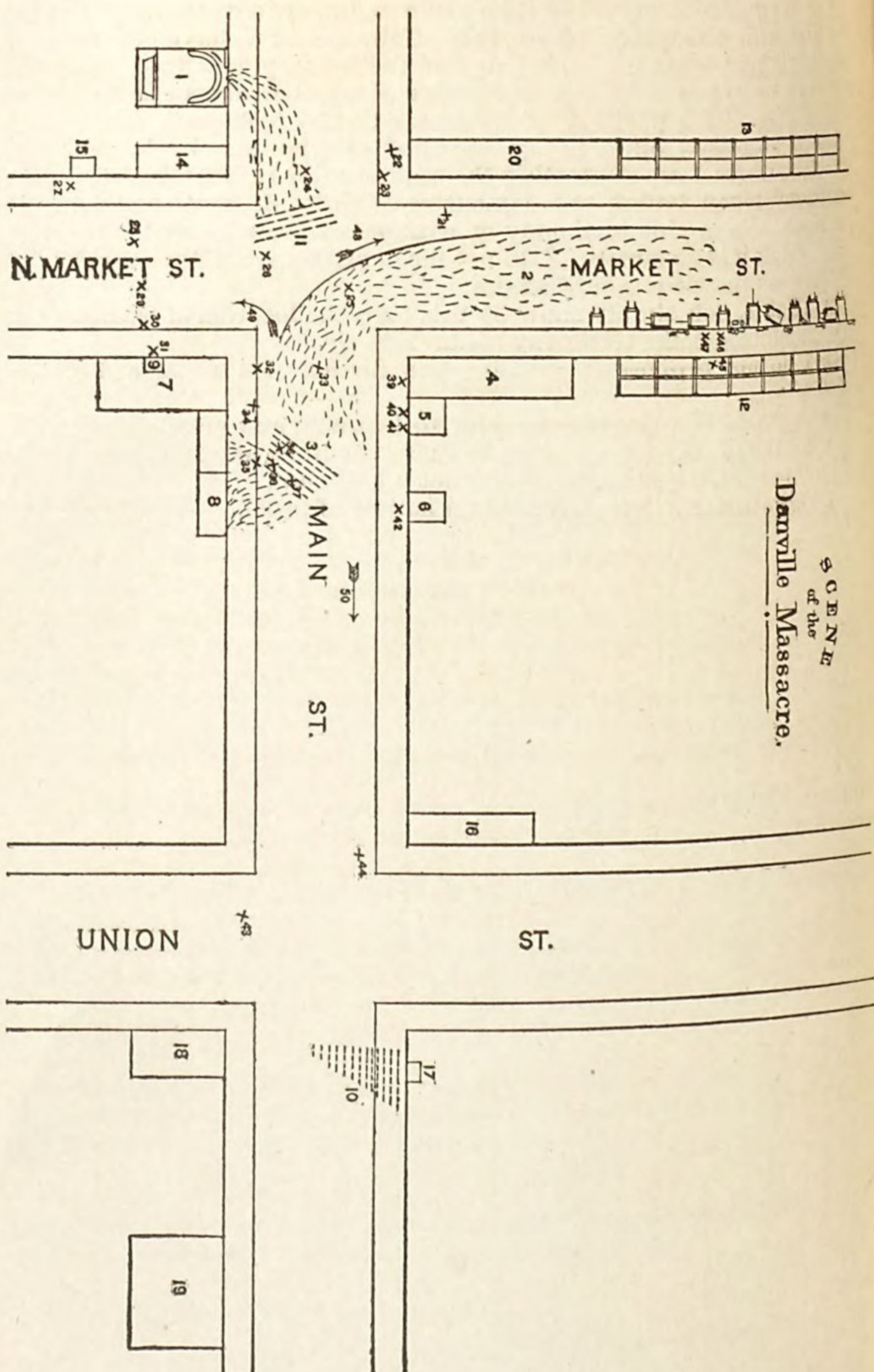
Q. That is, you simply show by this map the location of witnesses as you understood their testimony?—A. Yes, sir.

Q. I do not propose to examine you further now in regard to this matter.

Mr. VANCE. We propose to send to Danville and get a regular, authentic map of the city, and as to these positions assigned here to the various parties, of course we could not admit that.

The CHAIRMAN. Certainly; it is a matter of proof.

(The Chairman submitted the following diagram and index:)



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| 3. Where whites formed first. | 28. George Adams's position. |
| 4. P. R. Jones' drug store. | 29. Wagon of Charles Adams. |
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| 11. Whites firing on negroes. | 36. Hatcher's position. |
| 12. Public market stalls. | 37. Booth's position. |
| 13. Private market. | 38. Friend's position. |
| 14. Averett & White's store. | 39. W. H. Barksdale's position. |
| 15. J. J. Verser's room and window. | 40. Blackwell's position. |
| 16. Wiseman's drug store. | 41. Dugger's position. |
| 17. Old post-office. | 42. Terry's position. |
| 18. Arlington Hotel. | 43. Where a negro fell dead. |
| 19. United States Government building. | 44. Where a negro fell dead. |
| 20. Joplin's hardware store. | 45. L. L. Ivey's second position. |
| 21. Where a negro fell dead. | 46. Jack Redd's position. |
| 22. Where Violet Keeling and Sophie Powell stood. | 47. Reagan's position. |
| 23. W. P. Brown's. | 48. } |
| 24. Whites rushing out from opera house to scene of firing. | 49. } Lines of fleeing negroes. |
| 25. L. L. Ivey's position. | 50. } |

A. WALTERS sworn and examined.

By the CHAIRMAN:

Question. Are you a citizen of Danville?—Answer. No, sir.

Q. Were you there on the 3d of November?—A. I was there on the 3d of November in the evening. I live a mile from the corporation line.

Q. You live in the county?—A. Yes, sir; I live in the county.

Q. Are you an old citizen there?—A. Yes, sir; I have been there ever since I was a boy.

Q. Your name has been mentioned by some of the witnesses, and I will ask you to state what you saw of what is called the Danville riot on the 3d of November.—A. On the 3d of November in the evening there was a meeting in the opera house of the citizens of Danville for the purpose of having some resolutions signed, as I understood, and I went up in the opera house about the time that meeting was about half over. I had not been to a political meeting during the canvass; had not taken any part in politics so far as the meetings were concerned. I am an old man and don't like to go out from home nights, and have something else to do in the day. While we were in the opera house I saw there was considerable excitement out on the street; men kept jumping up and going to the front side of the opera house next to the street and looking out of the windows. Colonel Cabell was making some remarks and he told them to be quiet; that probably it was only somebody trying to break up the meeting. I came very near getting up and going out myself. I had some curiosity to see what such excitement was about, but after they got through with their talk they proposed for every man to come up and sign these resolutions (they read a parcel of resolutions); and I, living in the country, thought I wanted to put my name there. They suited me. I thought it was all true and right; and I forced my way up to the table and asked them to let me sign the writings, as I was an old man, let me get out of the crowd. Everybody got back and they gave me the pen. I think Dr. Cole, of Danville, was standing right as my back. He asked me to put his name too, and I think I did so. At soon as I signed the writings I came out; came down the steps on the sidewalk and the streets were pretty clear. Somebody came along and told me my grandson Walter was shot. I went on up the street.

I saw Mr. Corbin and this colored policeman standing on the corner right at the upper corner of Market street—not a street; it is an alley probably; about 20 feet wide; it is a very narrow street. I met these two men, and three or four men, but the streets were cleared just in that little time. It was perfectly clean of men, women, and children except a few scattered along on the sidewalk. I went up to Mr. Garrant's store, which is about three doors or four doors probably below Union street; just four doors from the upper end of the square from where I saw Corbin and the policeman. Withers and may be two or three other men standing around with them. Corbin then remarked that this policeman had done everything he could to disperse that crowd, and if the other policemen had done their duty as much so as he did, they might have saved the trouble; saved them from getting into the difficulty. I then went on up to Mr. Horace Garrant's store and inquired for my grandson, though I met some two or three between the corner and the store, who told me my grandson was right badly shot. I went up and found him lying on a counter, on a mattress, and by this time Mr. Holland, my son-in-law, had gotten up, and he was afraid his wife would hear of it, and come down on the street. He asked me to go up and keep his wife from coming down; didn't want her to come down there. I had just brought my horse to a blacksmith shop a square or two below, and I just walked off after having some conversation with the boy that was shot—a young man about twenty-one years old. I asked him how he was shot, and he told me somebody had shot him.

Q. I don't know that it is material to state what occurred there. I have no objection to your stating what Mr. Holland said, though.—A. I just went and got my horse and went up to my daughter's and told her I thought her son was wounded, but I hoped not badly.

Q. What I wished to call your attention to was whether you saw the scuffle of two whites pushing Jack Redd?—A. Jack Redd or George Lea? I saw no scuffle between Jack Redd, and, in fact, didn't see any scuffle with anybody.

Q. Did you say as you were passing along, "Boys, it is very hot, but it is not half as hot as we are going to make it?" Do you remember that?—A. When was that?

Q. That afternoon?—A. I never said any such thing. I may have told them that if they didn't behave themselves—if they started another row—it might be worse than that. I will tell you another thing I told them——

Q. The reason I ask you this question is because I understand that witnesses have stated that, and we wanted to hear your version of it.—A. Well, if they stated anything of that sort, I reckon I didn't state it.

Q. What have you said in regard to that matter?—A. I may have told them that if they started another row it might be worse than that.

Q. What I wish to ask is what you said on that occasion?—A. I don't know as I said anything at all.

Q. Did you say anything such as I have read to you, "Boys, it is very hot, but it is not half as hot as we are going to make it?"—A. I didn't see any of the boys. The streets were clear, but I didn't have any conversation with any of the colored people that evening.

Q. You didn't?—A. No, sir. Since that I will tell you what I did say—

Q. I don't ask you what you said since; that, for a man of your age, would be too much. What you said then, at the time, is the only point of inquiry, and if you say you did not say that I have no further ques-

tion to ask you.—A. I have no recollection of having any conversation with any of them on that evening.

Mr. VANCE. Who was it said that he said that?

The CHAIRMAN. John Stone.

The WITNESS. I don't know John Stone.

The CHAIRMAN. He did not say you knew him, but that you said in passing so and so on the Market Square as you were passing the neighborhood. Are you called Captain Walters?—A. Yes, sir.

Washington, D. C., February 19, 1884.

WILLIAM P. GRAVES sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. I moved there in 1852.

Q. What is your age?—A. I was sixty-three last fall.

Q. What is your occupation?—A. I am a commission merchant.

Q. How long have you been in that business?—A. I have been in that business there since 1857, I think.

Q. What part, if any, do you take in politics?—A. I have taken no interest in politics except to vote until the last election, when I took some little interest. I have not attended a political meeting for some time until the last election.

Q. Did you belong to any political organization prior to the last election?—A. I belonged to the Third ward in which I reside.

Q. To what?—A. To the Third Ward Club.

Q. Democratic club?—A. Yes, sir.

Q. Were you one of the signers of the circular?—A. I was.

Q. Were you at the meeting at the opera house?—A. I was.

Q. Did you sign the resolutions indorsing that circular?—A. I had signed them previous to that time. I was one of the original signers. I did not sign it upon that occasion.

Q. So that you both signed the circular and approved the resolutions indorsing them?—A. I do, emphatically.

Q. Where were you on the 3d of November?—A. I was in the meeting.

Q. What time did you leave the meeting?—A. I left the meeting soon after they commenced signing the resolutions.

Q. Had there been any firing in the street before you left?—A. I had heard none. There was some excitement during the meeting—

Q. Never mind now, just answer my question, please. Where were you when you first heard any firing?—A. I was on the street near Nicholas & Hessberg's.

Q. In the line that had been formed there?—A. No, sir.

Q. Which way from it?—A. I had started out of the opera house—

Q. Come right to my point, please; answer my questions?—A. I want to do that.

Q. Where were you at the time you first heard the firing?—A. I answer that question by this, that I was near Nicholas & Hessberg's store.

Q. How far from the white men who were formed upon the street?—A. I didn't see the white men, but from what I can understand it was some three or four buildings below.

Q. Were you below the crowd of colored people, too, or above them?—A. I was—well, somewhat in the edge of the crowd.

Q. Of the colored people?—A. Yes, sir.

Q. What class of colored people did you see there?—A. Well, I can't answer that question exactly.

Q. Only whether they were different ages and sexes.—A. I saw only one sex; I remember seeing only one sex.

Q. You do not remember seeing any women.—A. No, sir.

Q. Well, you saw children.—A. I can't say I did; I think not.

Q. No boys.—A. I don't remember any; there might have been some boys.

Q. Were you armed?—A. I was.

Q. What did you have?—A. I had a Smith & Wesson, .44-caliber-pistol.

Q. A five or six shooter.—A. A six-shooter.

Q. Was it loaded?—A. It was.

Q. Did you discharge it?—A. I did.

Q. How many times?—A. Four times. I would like to make a little explanation there, sir——

Q. Oh, I will give you an opportunity. Do you know Charles Adams?—A. I do.

Q. Did you see him?—A. I did.

Q. Did you fire at him?—A. I did not.

Q. Didn't he raise his hands and say, "My God, I aint doing anything, don't shoot me?"—A. He did.

Q. Well, didn't you fire?—A. I did not.

Q. You deny that, do you?—A. I deny it most positively, sir.

Q. Where did you fire your four shots?—A. As I came out of the opera house, coming up Main street towards my place of business, just as I got at the corner of Nicholas and Hessberg's the firing commenced; just above it, and I must say for a few seconds, it was about as hot a fire as I have ever been in.

Q. Yes, I should judge so.—A. For about a few seconds, and then it was I fired, from the fact that I have never yet been able to stand and let a man shoot at me or strike me without returning it.

Q. Where did you fire?—A. I fired in the crowd in front.

Q. In the colored crowd.—A. In front.

Q. Among the colored people.—A. Amongst the colored people.

Q. Four shots.—A. I fired one shot there. I fired one shot, perhaps two shots, there in that direction. I fired another shot in another direction, rather across the street, perhaps; I don't remember exactly.

Q. Was that after the colored people began to flee?—A. Some of them were running at the time.

Q. You fired in the direction they were running, did you not?—A. Yes, sir, I fired; some of them were running.

Q. Where did you fire the other two shots?—A. I fired one shot across the street.

Q. What did you fire across the street at?—A. Well, I fired there in the direction they fired; the bullets were coming towards me.

Q. You fired toward the colored people.—A. I fired toward the colored people.

Q. Where did you fire the other shot?—A. I fired one shot down off Main street.

Q. What was that at?—A. Well, there was a colored man had been firing, or rather attempting to fire, up that street, and I fired in that direction.

Q. At him.—A. No, sir; I did not fire at him. I didn't fire at any one in particular on that occasion.

Q. Well, you fired into the crowd.—A. No, sir; I can't say that I fired into the crowd then.

Q. What did you fire at?—A. I fired more in the air than in any other direction.

Q. Do you mean to have us understand now that you fired in the air?—A. I didn't fire there with the purpose or expectation of hitting any one.

Q. How long was that after the first firing?—A. It was a very few seconds after.

Q. After the crowd were fleeing, wasn't it?—A. After they had commenced fleeing.

Q. Have you ever been in the military service?—A. I have.

Q. Where?—A. I was in the Mexican war.

Q. In what capacity?—A. I was a volunteer; an orderly sergeant for eight months, and for eleven or twelve months I was an assistant commissary and quartermaster.

Q. So that you had some military experience.—A. Yes, sir.

Q. When did you get the revolver you had?—A. About, I think, as near as I can remember, about a month previous to that time.

Q. Where did you get it?—A. I bought it of Mr. Schoolfield, a hardware merchant in Danville.

Q. Can you say what supply of them he had at that time?—A. I think I got the only one of that kind he had at that time.

Q. Hadn't he other kinds?—A. Yes, sir; he had a good many of them.

Q. A good many others.—A. A good many others.

Q. What were they?—A. I think he had some .38-caliber pistols, and he had other pistols, I don't remember, I didn't notice particularly.

Q. Well, you took the most effective arm he had?—A. The one I thought the most effective.

Q. And you are a judge of the effect?—A. I think I am a pretty fair judge.

Q. When did you load that revolver?—A. It was sent to my office loaded.

Q. You directed it to be so done?—A. Yes, sir.

Q. When did you receive it at your office?—A. A few hours after I purchased it.

Q. And that was about a month before the affair?—A. I think it was about a month. I don't remember the exact time. I think it was about a month.

Q. Didn't you belong to a secret political organization?—A. I belonged to the ward club.

Q. Didn't you belong to a secret political organization?—A. I don't know anything about your secret political organization.

Q. Didn't you know of any such organization at Danville?—A. I do not.

Q. You don't know of any existing prior to the election?—A. I do not; with the exception that our club meetings were held in private. There was nothing particularly secret about them, but that there was none except the members of our party expected to attend those meetings.

Q. You held them in secret?—A. I don't understand the question.

Q. You held the meetings in secret?—A. Yes, sir; they were private.

Q. Wasn't there an executive committee of that club?—A. I think there was.

Q. Were you a member of that?—A. I was not.

Q. Do you know who constituted that executive committee?—A. I do not; I don't remember.

Q. About when was it organized?—A. It was organized probably early in the campaign; I don't remember.

Q. About how long before the election?—A. Four or six weeks before the election, or two months; I don't remember exactly.

Q. Was it before the month of August?—A. I think not; I don't remember the exact date of it.

Q. You didn't see the line of white men on the street at all, I understand you?—A. I did not.

Q. You didn't fire then by reason of any animus, you say, against them?—A. No, sir; I was firing only in self-defense.

Q. Why did you go there? For the purpose of self-defense?—A. I was passing from the opera house in the direction of my place of business.

Q. Did you not know before you left the opera house there was a disturbance there?—A. I did not.

Q. I thought you said there was something said in the opera house?—A. There was something said in the opera house; there was some little said in the meeting, and there were a number of persons who got up and went to the front windows, where they could see in the front street.

Q. You say you left the opera house?—A. And Colonel Cabell remarked——

Q. I didn't ask that.

Mr. VANCE. I think he is entitled to give that explanation now, you stopped him before.

Mr. LAPHAM. No; I hardly think it is called for. I am only addressing myself to questions personal to himself. I don't ask what Colonel Cabell said, or any other person.

Mr. VANCE. Well, I don't think you ought to ask him and not give him a chance to explain.

Mr. LAPHAM. The difficulty is he is not answering the questions I ask.

The WITNESS. I didn't know what the disturbance was. I didn't know that there was any firing. I heard no firing and I didn't know what it was. There was some little excitement.

By Mr. LAPHAM:

Q. Where did you first draw your pistol?—A. It was very near Nicholas & Hessberg's door.

Q. Had any one assaulted you?—A. They were firing right in——

Q. Had any one assaulted you?—A. Well, my dear sir, I thought so; they were firing right in my direction.

Q. Who was the person who assaulted you?—A. I can't say; I can't say who it was that assaulted me. They were firing right in my direction, as the bullets in the side of the house will show, coming from the street.

Q. You know where it is said the line of white people stood, don't you?—A. Yes, sir.

Q. Which direction were you from them?—A. I was on the sidewalk very near——

Q. Well, they were on the sidewalk, too?—A. They were on the sidewalk; I could not see them.

Q. Where were you with reference to them?—A. I was right at the corner of Nicholas & Hessberg's store the lower corner, between the lower corner and his front door; very near Nicholas & Hessberg's front door.

Q. How far from the point where the line of white people stood?—A. I forget exactly, but there were three or four buildings between?

Q. Was it up or down Main street, where you were?—A. It was down.

Q. You were below them on Main street?—A. I was below them on Main street; yes, sir; between the opera house and them.

Q. Between the opera house and the line of white people.—A. Yes, sir.

Q. Of what building do you speak which will show the marks of the bullets.—A. All of those buildings.

Q. Well, you didn't shoot in front of all of them.—A. No, sir.

Q. I want the one you refer to.—A. I think there may be some bullets along about Hessberg's and the adjoining building; there are some bullet marks also below in the building that was occupied by Averett & White at that time.

Q. How many composed the executive committee of your club?—A. I don't remember.

Q. Did they make any reports to the club or were their operations secret?—A. No, sir; their operations were not secret.

Q. Did they make any reports to the club?—A. I could not say.

Q. That you remember now?—A. I don't remember the reports particularly.

Q. You don't remember any reports made by them?—A. No, sir; I do not.

Q. Nor you can't give the name of any member of the executive committee.—A. No; I cannot give the name of a member of the executive committee.

Q. You were examined as a witness before the committee of forty, were you not?—A. Yes, sir.

Q. Who examined you?—A. Mr. Bowen.

Q. Give his full name.—A. I don't remember his full name. He is a young lawyer there who conducted it. I think his name is Philip Bowen.

Q. Do you remember whether you signed a deposition?—A. I think I did.

Q. Were you inquired of one word as to what occurred in this riot of the 3d of November?—A. I think I was. You have my deposition there; it is published.

Q. I am testing your recollection now.—A. Yes, sir.

Q. Was there one word inquired of you as to what occurred in this riot?—A. Yes, I think there was.

Q. You think there was.—A. Yes, sir.

Q. Now I will be fair with you and let you look over your testimony and see what you say about it, because I desire to deal fairly with you.—A. I also would desire to deal fairly with the committee.

The WITNESS. [After examining the report of the committee of forty, handed him by Mr. Lapham.] I find that I am mistaken.

Q. Then you were not inquired of as to anything which took place on the 3d of November.—A. From that I think I was not; I was laboring under the impression that I was.

Q. It was well known that you were there, wasn't it?—A. Yes, I think it was. It is some time since I read that report.

Q. It was well known that you had a pistol.—A. I think it was.

Q. And that you fired your pistol.—A. Yes, sir.

Q. Why you were not inquired of you are unable to state.—A. I am unable to say.

Q. Were you not sworn to tell the whole truth?—A. I think perhaps I was.

Q. The subject of that inquiry was the riot, was it not?—A. It was.

Q. And you were sworn to tell the whole truth.—A. Yes, sir.

Q. And yet you did not say one word about the riot itself.—A. They examined other persons there upon that particular point.

Q. Yes; but you were at liberty to tell what took place. Can you give any reason why you were not examined as to this riot?—A. I cannot.

Q. You were examined solely upon the subject of the Readjuster meeting on the previous evening.—A. So it appears from the report.

Q. Well, don't you remember?—A. I had forgotten until I read that deposition.

Q. Well, having read it, don't you now remember that that was the only topic upon which you were asked?—A. I think perhaps it was.

Q. You entertained the feelings expressed in your testimony in relation to that meeting, did you not?—A. I didn't hear the question distinctly.

Q. You entertained the feelings implied in what you said about that meeting.—A. I do, sir; I do, sir.

Q. And did through the day Saturday.—A. Yes, sir.

Q. You went into this crowd entertaining those feelings.—A. Yes, sir.

Q. You carried your pistol there entertaining those feelings.—A. Yes, sir.

Q. Where did you see Charles Adams?—A. Just as the firing commenced, Charles Adams rushed into Nicholas & Hessberg's front door and stopped at the door, from the street, and threw up his hands and begged not to shoot.

Q. Begged who?—A. Begged some one not to shoot him. I think he stated he had just been shot at, and I told him when he threw up his hands and told them not to shoot him, I turned to Adams and told him to go into the house, and he did so. In a few minutes the scene of action changed, and the firing was down North Market street as has been described. Whilst I was standing very near the corner of the street, and just a few feet below the house of Nicholas & Hessberg's store, Adams ran out of the side door, and ran down the street for a short distance; there were a good many persons firing down that street at that time; I hollered to Charles Adams and told him to go back into the house. As I hollered to him he faced, turned about, threw up his hands, and hollered not to shoot.

Q. Hollered to who?—A. He hollered not to shoot; perhaps to me I told him to get in the house or he would be killed, and he got in the house. I didn't know at the time that Charles Adams had been shot. I afterwards asked him where and when he was shot. He explained that he was shot just as he threw up his hands and begged not to shoot. Adams was then facing me, right front. I asked him where he was shot, and he said he was shot in that arm [indicating the right arm], shot there, and the bullet came out here. Now, any one who will see the position of Charles Adams and myself will know that it was impossible for me to have fired that shot. It was impossible for me to have fired that shot. I don't doubt one moment if I thought Charles Adams was there trying to shoot me I would have shot him in a minute, if I had wanted to have done it in the first place. I was as close to him as this gentleman, with my pistol, and I could have shot him if I wanted to have done it, without any difficulty upon the commencement of the riot,

and he would never have known what hurt him. I had no disposition to shoot Charles Adams or any one else except in my own self-defense.

Q. That is the second time you saw Charles Adams?—A. This was the second time I saw Charles Adams.

Q. Did you fire your pistol at that time?—A. I did not at that time.

Q. Well, about that time?—A. I had fired before that time.

Q. Didn't you fire your pistol after that occurrence?—A. No, sir.

Q. You had shot your pistol before that?—A. I had shot four times before that.

Q. Now, don't you know that that is the time that Adams came out to get the horses he left standing there?—A. There were no horses there.

Q. Don't you know he came out for the purpose of getting them, and they had been frightened and run away?—A. No, sir; I don't think such is the fact; the horses were not there.

Q. You didn't hear anything about their being there?—A. I heard afterwards that he went there for that purpose, but his horses were not there.

Q. No, they were not; I agree to that.—A. They were not there; and my impression is that Charles Adams had put his horses away and come back and went into the crowd.

Q. You were alone during all these proceedings, were you not?—A. No, sir.

Q. Who was in company with you?—A. I didn't notice any one particularly, just at that time. There was a good large crowd; the street was full.

Q. I am speaking now of white people.—A. As I came out, I didn't know that there was any one with me at all—

Q. I repeat again the question, were you alone during all this period when you fired these four shots?—A. I was not alone, but I didn't remember until since then who was with me.

Q. Well, if you remember now, you can answer who was with you.—A. Mr. Charles H. Conrad, I think, when Adams ran into the door, was standing by my left arm when I ordered Adams to get in the house, in the front door.

Q. What right had you to order him?—A. He threw up his arms and begged for mercy, and I wanted to save his life.

Q. That is the mode in which you did it; you ordered him in?—A. I ordered him in; told him to get in the house.

Q. Who else was with you?—A. I don't remember who else was there; there were a number of persons; the crowd was pretty thick.

Q. Of white people?—A. There were some white people.

Q. Can you name any other one than the one you have named?—A. I could not have named any one at all; some gentlemen have reminded me since that they were near.

Q. I prefer your recollection of what took place at the time; what I want to get at is whether anybody was co-operating with you at that time or whether you were acting on your own responsibility?—A. I was acting on my own responsibility.

Q. Do you know whether you hit any person?—A. I do not.

Q. Did you design to hit any person?—Well, I can't say—

Q. Give me a frank answer to that question?—A. I can't say that I did.

Q. Did you design to fire without hitting anybody?—A. I designed to protect myself.

Q. Did you design each pistol shot you fired not to hit anybody?—A. No, sir; I didn't say that.

Q. You fired then with the idea that you might hit some one?—A. I fired with the idea that I might hit some one——

Q. Are you sure you didn't hit any one?—A. I am not, sir.

Q. You might then have killed one of the men who was killed?—A. I can't say.

Q. You might have done so?—A. I can't say; there was no one who fell there.

Q. You may have done so.—A. I can only say this; that there was no one shot and I saw no one fall, and I didn't see any one who was shot.

Q. You shot in the crowd?—A. I shot in the crowd.

Q. A man might be ahead of your bullet and fall without you seeing him.—A. He didn't fall there.

Q. No; but he might fall.—A. There was no one fell in that part of the street; I saw no one fall at all.

Q. For what purpose did you procure this revolver originally?—A. I procured it for this purpose——

Q. Well be frank about it.—A. I will. From the state of feeling that was existing, I was very sure that there was bound to be a collision between the races. I was very sure that there would ultimately be some collision between the races, and I thought it was necessary for every one of us, every white man, to be prepared to defend himself and his family.

Q. No one had ever molested you, had they?—A. What do you mean by molesting?

Q. I mean what that term implies; no colored man had ever assaulted you had there?—A. Yes, sir.

Q. When?—A. Upon several occasions.

Q. Name one.—A. Well, some years ago——

Q. Oh, I don't want to go back in the buried past. I mean during that time.—A. I wish to answer your question frankly, and if you will permit me to do so. I will do it.

Q. Well, go on.—A. Some time ago—it has been some considerable time—I was walking on the street with Mrs. Graves on my arm——

Q. When was it?—A. It has been two or three years ago.

Q. Very well, go on.—A. I was walking on the street with Mrs. Graves on my arm, and I met some colored women, and one of them endeavored to run right between Mrs. Graves and myself, although she had hold of my arm.

Q. A colored woman?—A. A colored woman; that was one occasion.

Q. Was that all there was of it?—A. I caught her and shoved her to one side, and moved on. That is all of that.

Q. Now do you mean that that occurrence prompted you to buy a pistol three or four weeks before election?—A. I don't mean that that alone did.

Q. Who was that woman?—A. I didn't know her.

Q. Was it in the day-time?—A. It was in the day-time on Sunday.

Q. In broad daylight?—A. In broad daylight.

Q. Had you a pistol then?—A. I had not.

Q. Did you have one before you purchased this?—A. Many a one I have had. I just told you I was an old soldier; have been in the army.

Q. I mean during your living in Virginia?—A. I have not used one. I have a pistol that I got during the war. That I gave to a widowed sister who lives in the country, and I had had no pistol for many years at home until I purchased this one.

Q. Now, what other menace, if any, was there which prompted you to buy this pistol?—A. I have very frequently, in walking the streets—

a good many of the sidewalks of our streets have rocks, what we call stringers, two parallel lines, upon which the people generally walk. Frequently, in walking the streets I have encountered negroes, more particularly negro women; I have generally turned to the right, and I have very frequently come in contact with them. I first gave the way, but I found if I continued to do it they would press me off the sidewalk altogether, and I generally walked straight along on the right hand, and if I come in contact with any one, why, they generally give the way; I didn't strike her with my fist or anything of that kind; I generally strike them with my shoulder, and pass on; I have had frequent occurrences of that sort. Upon another occasion, not very long before this thing occurred, there were a couple of negroes in my warehouse—I have a tobacco warehouse in town; that is my business, selling tobacco on commission—a couple of negroes came up with a basket of tobacco, and ran with the basket against me; there was no necessity for it, they could have walked past; they could have passed around without striking me at all, but they ran right against my leg and hurt me a little; I remonstrated a little with them for doing so, whereupon they cursed me.

Q. What did he say?—A. He said, "God damn you, I'll strike you."

Q. What did you say?—A. I hit him over the head with my stick, sir.

Q. What more?—A. That was all.

Q. That was all of that occurrence, was it?—A. That is all of it.

Q. Did you have him arrested?—A. He had me arrested.

Q. How soon?—A. In a few hours.

Q. Who before?—A. Before the magistrate, a man by the name of Luck.

Q. Was the case tried?—A. Yes, sir.

Q. And you were acquitted, I suppose?—A. I was not.

Q. You were not?—A. I was not. Mr. Luck asked me if I was afraid of the negro.

Q. You don't say you were convicted there?—A. I say that I was fined.

Q. Is that so? When was that?—A. That was two months before the election.

Q. How long before you bought this pistol?—A. Not a great while before that; perhaps a month or two; I don't remember the exact time.

Q. You paid the fine, of course?—A. I did.

Q. And had money enough left to buy this revolver?—A. Yes, sir.

Q. Can you name any other incident or menace that prompted you to buy it? What was the name of that colored man?—A. I don't remember his name; I didn't know him, and don't remember his name now.

Q. Now, do you mean to say that you lived in fear from that occurrence?—A. No, sir; and that was one reason why I was fined. The magistrate asked me if I was afraid of the negro doing me any bodily harm. I told him I could not say that I was, as I felt perfectly able to protect myself. Although I was getting a little old, I was not afraid, and could not say that I was.

Q. Then you didn't entertain any fear of personal injury that prompted you to buy this revolver?—A. Not upon that occasion, I didn't.

Q. What?—A. I say I didn't entertain any fear of personal injury from that party.

Q. Well, you didn't know of any one else, did you, who would be likely to threaten you?—A. There was very great excitement all through the town; there were a great many threats being made; threats of violence.

Q. Was there any excitement before this circular was issued?—A. Yes, sir.

Q. What time was that issued?—A. I don't remember the date.

Q. About how long before this occurrence?—A. It was, as well as I remember, a few weeks.

Q. Do you know who wrote it?—A. Yes, sir.

Q. Who?—A. Judge A. M. Aiken wrote it.

Q. Where does he reside?—A. In Danville.

Q. Do you know how many were printed?—A. No, sir.

Q. It was printed in large numbers, wasn't it?—A. Large numbers, and a considerable demand for them, and we could not print them fast enough.

Q. Was it not sent to the Democratic headquarters, and printed by them?—A. No, sir; they were printed in Danville.

Q. Don't you know of any printed anywhere else except in Danville?—A. I don't; I suppose there were.

Q. You have no doubt about it, have you?—A. I don't know, but my impression is that they were.

Q. Do you know how extensively it was circulated?—A. I think it was very extensively circulated.

Q. Very extensively?—A. I think so; I think there was a very considerable demand for them.

Q. It was not circulated openly, was it?—A. I think so.

Q. Was it about Danville?—A. No, they were not circulated immediately about Danville; it was issued there.

Q. How much was the fine for your assault upon the negro?—A. It was a nominal fine, and the costs I don't remember exactly, but some five or six dollars, something like that, as well as I remember; I don't remember; the fine was nominal.

Q. How much was the fine; I am not asking about costs?—A. Very small; I don't remember,

Q. Less than a dollar, wasn't it?—A. I think so; I think perhaps it might have been a dollar; I don't remember the amount.

Q. Were these two colored men in your employment?—A. They were not; they were in the employment of Mr. Shelton.

Q. What were they there with a basket of tobacco for?—A. They were getting up his tobacco.

Q. Which was in your warehouse?—A. In my warehouse; they were in his employment.

Q. When was that occurrence?—A. I can't give the time exactly.

Q. About when?—A. It was a few months before the election, as well as I remember.

Q. Did you see either of the two colored policemen the day after the riot?—A. I don't remember to have seen them.

Q. You know them both, do you not?—A. Yes, sir.

Q. Were they not excellent police officers?—A. I cannot say that they were.

Q. Can you say they were not?—A. I cannot say they were not.

Q. Didn't you esteem them as fairly faithful officers?—A. I can't say that I did.

Q. You know nothing to the contrary, do you?—A. No, sir.

Q. Wasn't it understood there prior to the election among the Democrats that in case there was a Coalition procession or parade it was to be broken up?—A. Sir?

Q. Wasn't it understood there prior to the election that if the Coali-

tionists undertook to have a street procession in Danville it should be broken up?—A. No, sir.

Q. Did you hear nothing of the kind?—A. I heard that there was some probability of there being a street parade there on the morning of the election. This was the rumor; I don't know how it got about or anything about it; it was rumored there was to be a torchlight procession the morning before the election, and they were to march in three columns to the polls and take possession of the polls. That was the rumor; I can't say how it originated or anything about it.

Q. Now, please answer my part of the question. Wasn't it understood if that was attempted it was to be broken up?—A. No, sir; I will answer you frankly. There was no understanding to that effect, but I think if it had been attempted it would have brought about a collision; I will frankly state that.

Q. And your understanding was, then, it was to have taken place the evening before election?—A. On the morning of the election, before day.

Q. Who did you hear say anything of that kind?—A. It was a general rumor.

Q. Just answer my question, please; who did you hear say anything of that kind?—A. I can't say.

Q. Name any one person—A. I cannot name any particular person now; I will simply say it was the general rumor of the town.

Q. Well, a general rumor among Democrats?—A. I presume it was among Democrats.

Q. Did you hear any such thing from the Coalitionists?—A. I did not.

Q. Then you must have heard it from Democrats. You had no intercourse with the opposite party, had you?—A. I had none, sir.

Q. So you must have heard it from Democrats?—A. I think it was from Democrats.

Q. But you cannot name any individual whom you heard speak on the subject?—A. I don't remember. I will say this, I remember to have heard—I think it was Dr. Holley—say that Mr. Wheeler told him that he had become responsible for the torchlights and lanterns.

Mr. VANCE. That is entirely hearsay testimony. I shall call for similar things on the other side.

Mr. LAPHAM. Yes. I didn't ask for that.

Q. Did it not occur to you on your examination before the committee of forty that it was singular you were asked no questions about this riot?—A. It did not.

Q. It never occurred to you?—A. I didn't remember it until I read the deposition.

Q. Don't it now occur to you as extraordinary that you should not have said anything about it?—A. No, sir.

Q. Well, that answers it.—A. There were plenty of others—

Q. No, you have answered my question, I don't want anything volunteered. You have answered my question and that is all I desire.—A. All right, sir.

Q. Have you had any military service except in the Mexican war?—A. Yes, sir.

Q. When?—A. In the last war.

Q. In the Confederacy?—A. Yes, sir.

Q. What was your rank?—A. Captain.

Q. How long did you serve?—A. Twelve months.

Q. Where?—A. In the army of Northern Virginia.

Q. Well, these poor colored people were left at home during that time, were they not?—A. Yes, sir.

Q. And were peaceable?—A. Yes, sir.

Q. Had you been a dealer in slaves?—A. I owned slaves in the war.

Q. I didn't ask whether you owned them; I asked whether you had been a dealer in them?—A. I have sold some slaves and have bought some others in my life.

Q. Well, that makes a dealer. That is all.

By Mr. VANCE:

Q. Were you in General Mahone's brigade, and Longstreet's division or corps?—A. I was in Pickett's in 1861. I was in the Eighteenth Virginia Regiment, Pickett's brigade—first Cox's brigade, afterwards Pickett's—Longstreet's division.

Q. You were asked to give some reason why you were not examined on the riot matter when you were before the committee of forty, and you were not permitted to say these reasons. Now, why, do you suppose?

Mr. LAPHAM. You assume that there was a reason. I have asked him and he says he can't give any.

The WITNESS. I was going on to give them when you stopped me.

By Mr. VANCE:

Q. Why is it you were not asked questions about the riot when you were before the committee of forty?—A. I suppose there was a sufficient amount of testimony on that subject from those who knew more about it than I did.

Q. And as you had gone up to hear Sim's speech you would know more about that than the others, probably?—A. Yes, sir.

Q. When you were telling about coming out of the opera house and were asked if you fired your pistol and you said you did, you were asked how many times, and you said four times, and then you said you wanted to explain, and you were not permitted to explain. Will you now explain what you wanted to then. Whatever it was you had in your mind then you can say now.—A. I don't remember now what it was I intended to remark at the time.

Q. Why did you, near Hessberg's, pull out your pistol and fire?—A. I pulled it out and fired because they were firing upon me. I thought that I was in danger myself, and I pulled it out for my own self-protection.

Q. Do you know that any bullets were coming towards you; and if so, why do you know it?—A. Well, an old soldier remembers very well the peculiar noise of a bullet; I don't think I shall ever forget it.

Q. Did you hear anything of that peculiar music of Charles the Twelfth on that occasion?—A. I thought I did sir.

Q. Did you see any flash or smoke in the direction of the colored people?—A. Yes, sir.

Q. Are you confident they had arms and were using them?—A. I don't remember to have seen the pistols at the time, but then the bullets were coming from that direction as the print of the bullets on the side of the building shows that they must have come from out in the street and could not have come from the white people who were on the sidewalk.

Q. You were on the sidewalk, as I understand you, near Hessberg's?—A. I was on the sidewalk within a few feet of Hessberg's front door.

Q. The white people were on the same sidewalk to your right as you faced the street, or were they to your left?—A. Just in front of me.

Q. The white people?—A. Yes, sir.

Q. With their backs to you?—A. I could not see the white people at that time, there were so many colored people between me and those white people, I could not see them at all.

Q. But the white people, so far as you could see, were on the same sidewalk with you?—A. I understood they were.

Q. Could you see how many there were?—A. I could not.

Q. Were there any colored people on the sidewalk between you and the whites?—A. There were.

Q. They were principally on the street and lapping over on the sidewalk?—A. Yes, sir.

Q. You say you fired a part of your shots in the air?—A. I think so, sir.

Q. You were asked if you attended any secret political meetings. Were the club meetings there anyways secret further than that no one but Democrats were admitted?—A. That was all.

Q. The public at large were not invited?—A. No, sir; none except Democrats were expected to attend these club meetings.

Q. Is that common?—A. It is.

Q. Do you know that both parties in Congress do that here every day; hold meetings in which the other side is not invited?—A. That is my understanding.

Q. About this Charles Adams matter, I believe you have sufficiently explained that; you say you did not shoot at Charles?—A. I did not shoot at Charles Adams.

Q. On the contrary, when you found him holding up his hands and uttering the exclamation that you spoke of, you ordered him to go into the store to get out of danger?—A. And by that means, I think, I saved Charles Adams' life twice that day.

Q. You spoke once, when asked the reason why you bought that pistol, that you believed like many others did, that a collision between the races there was coming.—A. I thought it was inevitable.

Q. Since your residence in Danville, can you recall any other incident of a violent mob on the part of negroes; rescuing persons from jail, &c.?—A. I can.

Q. When was that?—A. It has been some years ago. There was a colored man arrested and put in jail for some purpose, I don't remember what now. The colored people surrounded the jail—

By the CHAIRMAN:

Q. Were you present?—A. I was. The colored people surrounded the jail and threatened to break it open and take the prisoner out, and the demonstrations were so very great the mayor came out—Mayor Coles at the time—read the riot act and ordered them to disperse; they failed to do so; he ordered up the military company that was in existence at that time; they charged bayonets upon them and dispersed them after bayoneting one man.

Q. How long ago has that been?—A. It has been several years.

Mr. LAPHAM. That is very indefinite.

By Mr. VANCE:

Q. Give as near the time as you can.—A. As well as I can remember it has been some six or eight years ago; it may have been a little longer or may not have been so long.

Q. Who was the mayor at the time?—A. Dr. Coles. If I am per-

mitted to say so, I can name another case in which there was considerable excitement and violence threatened; there was no violence.

Q. Well, when was that?—A. It was some years ago. Our present mayor, Mr. Johnson, and Judge Latham, now of Lynchburg, had a difficulty, and Johnson, I think, endeavored to get up a sort of a row, and was threatening to mob Latham and his party.

Q. Was there any actual assemblage of violent people?—A. Something of that sort, sir; and I think it was prevented by the Democrats taking the part of Latham and Mr. Lewis, who was there at the time.

Q. What were the politics of the parties then—Latham and Johnson?—A. Johnson was a Democrat and Latham a Republican.

Q. And the Democrats took the side of Latham and prevented a row?—A. I can remember that Dr. Mead, a very staunch Democrat, Judge Eakin, and, I think, Captain Mead, and myself espoused the cause of Latham and Lewis, and that put a stop to it.

Q. You were asked if it was not understood that this spoken-of torch-light procession was to be broken up. You say you don't remember that there was any such understanding.—A. There was no such understanding.

Q. But, in the inflamed state of the public mind, you think it probably would have been broken up?—A. I have little doubt but that it would have brought on a collision.

Q. You say it was understood that they were to have that before daylight and take possession of the polls?—A. Take possession of the polls.

Q. Was it also understood around there that no colored man was to be allowed to vote the Democratic ticket?

The CHAIRMAN. That is too vague.

Mr. VANCE. That is about the same line as the understanding that the procession was to be broken up.

The CHAIRMAN. Well, I think the whole of it is too vague; however, I will not object.

By Mr. VANCE :

Q. I will ask you whether it was not a generally understood and accepted fact in the community that the colored people had combined, by various contrivances, social and political, to prevent any colored man from voting the Democratic ticket?—A. It was.

Q. That is an understood fact, then?—A. It is an understood fact, and has been for several years.

Q. Have you any knowledge, or had you any information whatsoever, of any combination, or intent, or purpose, or design on the part of the Democrats or white people of the city of Danville to bring about this riot in order to intimidate the negroes to prevent their voting?—A. Please repeat the question.

Q. I say, have you any knowledge or information that there was a combination among the Democrats or white people to bring about this riot; to get up a riot in order to shoot the negroes, to intimidate them from voting?—A. There was nothing of the sort; upon the contrary, the leading Democrats all the time were advising them not to have any difficulty at all, and they were doing their utmost to endeavor to prevent the young men from getting into any difficulty, and they were counseling and advising peace, and advising them by all means not to get into any difficulty until after election.

Q. I will ask you if it was not the opinion of your party leaders, and the design of the party leaders there, that it was your true policy to avoid anything like a riot?—A. It was.

Q. For the sake of the party you dreaded the effects of a riot?—A. Yes, sir.

Q. Now, I will ask you further, notwithstanding the fact that the public mind was inflamed at this time, and everybody was apprehensive, yet if the occurrence of this riot at the time, and in the way in which it occurred, was not totally unexpected?—A. Totally unexpected.

Q. By these hot-blooded young men getting in a fist fight with a colored man on the street?—A. Totally unexpected, sir.

Q. Did you see anybody fire at the colored people after there was no longer any necessity for doing so?—A. I did not.

Q. Do you think there was any necessity for these white men on the street to fire in the first place, from what you could see of the crowd and the situation?—A. I think there was.

Q. Did you see any damage inflicted upon the colored people or attempt to be inflicted after that apparent necessity had passed away?—A. I did not.

Q. Was there any difficulty in controlling the crowd after the firing was over?—A. As soon as the firing was over I went as quick as I could to my warehouse, and I mounted a horse and went home as quick as I possibly could, from the fact that it was generally rumored, and we had received a letter, which had been intercepted, in which they stated that if a fight should occur at the lower part of the town that the women and children on the outskirts would be murdered, and as soon as the affair was over I went to my warehouse and mounted my horse—my residence is a mile from the warehouse, from the scene of this action—as quick as I could I mounted a horse and went home, and with a few other persons, friends, for the purpose of protecting the outskirts of the town.

Q. You were not present, then, at Colonel Cabell's speech?—A. I was not.

Q. And the proceedings taken there to preserve order?—A. I was not.

Q. Have you any reason or facts tending to show that the colored people had received orders from somewhere not to vote on Tuesday; if so, give those facts? If it is a mere suspicion, you need not state it.—A. It was generally understood. I cannot say that I could state any particular person who said it, but it was generally understood that such an order had been given.

Q. Did you learn that from any colored man?—A. I think I did; but I could not name the colored man at this time.

Q. Well, don't state it then if you cannot give any name. Do you think they could have voted with safety on Tuesday?—A. I am very certain of it; they could, I am sure of it.

Q. There was rather an anxiety that they should vote, was there not?—A. Yes, sir.

Q. They didn't vote in Danville?—A. Very few of them.

Q. Do you know any other precinct in the county at which they did not vote?—A. They didn't vote at New Design; I was there during the election.

Q. You were there during the election?—A. Yes; I rode out to New Design myself, and they did not vote.

Q. Did you see any there?—A. Yes, sir.

Q. How many?—A. Well, there were quite a number of persons. Well, the voting precinct was some several hundred yards, in a school house. At New Design there are two or three stores, and the voting place is several hundred yards or a quarter of a mile or half a mile, perhaps,

from these stores. I don't think there were a great many colored persons there, but there were a good many at the stores.

Q. A good many at the place, but not at the place of voting?—A. Not at the place of voting. I saw as I went on several crowds of colored people in the road just this side of New Design. I was also at Wimbeshers.

Q. Did they vote there?—A. Yes, sir.

Q. How far is that from town?—A. It is hardly a mile; not more than a mile.

Q. How far is it from town to New Design?—A. I think it is about 4 miles, as well as I remember.

Q. Wimbeshers is on the same side of the river with Danville, isn't it?—A. Yes, sir.

Q. And New Design is on the north side?—A. And New Design is on the north side.

By Mr. LAPHAM:

Q. Where did you vote?—A. I voted at the Third ward precinct; very near my house.

Q. In Danville?—A. In Danville.

Q. How many precincts are there in Danville?—A. Three.

Q. What time in the day did you vote?—A. Near the middle of the day, I think.

Q. Had you been to either of the other polling places before you voted?—A. I don't remember now whether I had voted when I had gone to New Design or not; I voted either just before I went there or just as I returned.

Q. Just think a moment which it was.—A. I could not say positively which; I voted before I went to Wimbeshers.

Q. What is your best impression?—A. My impression is now that I voted before I went to New Design; I would not say positively.

Q. What time did you go to the polls where you voted?—A. I went to the polls; the polls are very close to my house—

Q. Well, that don't tell what time you went there.—A. I was going to remark, I went soon after breakfast, I think; I walked from my house down street.

Q. What time is your breakfast?—A. About 8 o'clock.

Q. Then you think you stayed there from 8 to 12 without voting?—A. No, I don't think I remained there as long as that.

Q. Why you think you voted just before you started for New Design?—A. I think I went back home. I first walked down to the precinct and stayed a short time, and I think I went back home and got my buggy and horse and passed by again, and I either voted then and went on to New Design. I don't remember whether I voted just before I went to New Design or whether I voted as I returned from New Design and came back.

Q. I thought you just stated you thought you voted before you went?—A. I say I don't remember which. That is what I stated.

Q. I understood you to say you thought you voted before you went?—A. Well, I don't remember which it was. It was either just before I went or after.

Q. What is your best recollection as to which it was?—A. I didn't think it was important and didn't charge my memory with it.

Q. I might think different; I want your best recollection which you say it was?—A. I really can't say.

Q. Who went with you to New Design?—A. Dr. Temple.

Q. Any one else?—A. No, sir.

Q. Was there any one else there from Danville?—A. There was.

Q. How many?—A. I remember one other man—well, he is frequently in Danville, but I don't know as he is a resident of Danville. His name is Barksdale.

Q. How many were at the polls at New Design when you went there?—A. Very few immediately round the polls.

Q. Well, in the vicinity of the polls?—A. Some fifty or a hundred persons I suppose.

Q. How many around the polling place in your precinct before you went away?—A. Not a great many.

Q. About how many?—A. I suppose forty or fifty.

Q. Had they increased any before you returned?—A. No, sir.

Q. What time did you get to Wimbeshers precinct?—A. In the evening.

Q. Before the voting finished?—A. Yes, sir.

Q. By evening, you mean afternoon?—A. It was 4 o'clock I suppose.

Q. Where were you from the time you voted until 4 o'clock?—A. From the time I voted until 4 o'clock? I just stated that I didn't remember exactly whether I voted before I went to New Design or when I returned.

Q. What time did you return from New Design?—A. We stayed at New Design I suppose half an hour, perhaps three-quarters, and we returned to Danville, and we stopped down street about the Arlington Hotel for a short time, and met some friends there, and then rode up to the other precinct.

Q. What precinct?—A. The one where I voted; stopped there a few minutes, and from there I drove out to Wimbeshers.

Q. Who went with you there?—A. I don't remember now. I can tell you some persons who were there, but I don't remember who went with me.

Q. How many white people were there?—A. I suppose there was perhaps a dozen.

Q. You don't remember who went with you?—A. No, sir; I don't now.

Q. Were you armed?—A. I think perhaps I was.

Q. Oh, now; you think perhaps you was. Let's have an answer.—A. I think perhaps I was.

Q. You know whether you were or not?—A. I had been armed.

Q. Were you armed that day?—A. I think I was.

Q. With what?—A. A pistol.

Q. The same one you had the night of this riot?—A. Yes; I think probably it was.

Q. You carried it with you all day, didn't you?—A. I had carried it with me sometime.

Q. Did you carry it in sight?—A. No, sir; I did not.

Q. You concealed it. Wasn't it in sight?—A. I think not.

Q. Did you see any other white men armed?—A. It was not in sight; I remember now, I had on my overcoat, and that sort of concealed it.

Q. Very well, did you see any other white men armed?—A. I did not, and no one saw my arms there.

Q. Wasn't Dr. Temple armed?—A. Not that I know of.

Q. Why did you go up to this precinct, 4 miles from town?—A. I went to see how the election was progressing, and see whether they were voting there or not.

Q. And you went to the other with the same purpose, I suppose?—
A. Yes, sir.

Q. Now, you went to the opera-house meeting knowing it was to be a meeting exclusively of Democrats, on the afternoon of the 3d of November, didn't you?—A. Yes, sir.

Q. Will you tell the committee why you carried your revolver there?—
A. I had been carrying my revolver regularly for a month.

Q. Well, was not that the case with white men generally?—A. My impression is it was the case with white men; both white and colored.

Q. Now that don't answer my question.

Mr. VANCE. Yes, I think it does.

The WITNESS. It does. I insist upon it, it does.

Mr. LAPHAM. I say it isn't a fair answer, and I repudiate it. I ask you whether that was not the case with white men generally?—A. I don't know that such was the case, but my impression—it is but an impression—is that they both go armed.

Q. I didn't ask that. I didn't call for that answer at all. You were appointed a special policeman, were you not?—A. I was not—I was.

Q. Why, how many mistakes you are making.—A. I was, sir.

Q. When?—A. The night after the riot.

Q. [Handing a map of Danville to witness.] You came out from the opera house. Now, I want you to point out to me where you stood when you fired the first shot. Here's the opera house; this is North Market street; you went right up Main street to this corner?—A. Right here; up here; across here.

Q. No; there is where the white people were; you were below them. On which corner were you?—A. If I understand this map correctly, this is Nicholas & Hessberg's store here. I went across here.

Q. You crossed Market street?—A. I crossed Market street.

Q. That is, you went up Main past Market?—A. I came up here.

Q. And you were at the corner of Market and Main?—A. I got right there.

Q. You stood about at the corner of Market and Main?—A. I was right on the sidewalk here. There's Nicholas & Hessberg's front door; I was right close to that.

Q. Well, close to the corner?—A. Well, right there [indicating]. I was there when it commenced.

Q. Now, was not there firing behind you; that is, down Main street from you, there?—A. Will you permit me—

Q. Was not there firing from persons between you and the opera house?—A. Not at first.

Q. No; but at any time?—A. The firing as I stated; pointed out the position there where I was standing.

Q. At what time was the firing from persons between you and the opera house?—A. Between me and the opera house, it was about the close of the firing.

Q. Do you know whether a line of white people formed there?—A. I think not.

Q. Do you know?—A. I saw no line of white people there.

Q. Were you before the grand jury?—A. Yes, sir.

Q. Empaneled to investigate this case?—A. Yes, sir.

Q. Do you know whether your testimony was taken down there?—
A. I do not.

Q. Do you remember whether you testified there about what occurred when Mr. Sims addressed the meeting, or testified to what occurred dur-

ing the riot?—A. I do not remember that they said anything to me before the grand jury about Sims at all.

Q. Why was it not just as pertinent to ask it there as it was before the committee of forty?—A. That is not for me to say.

Q. It never has struck you, then, that there was any occasion for a difference of examination upon the topics upon which you were to testify?—A. Certainly there is. I was not aware that there was anything occurred; there was no fight, and no difficulty of that sort occurred at the time of Sims's speech.

Q. Well, there was not when you were examined before the committee of forty that was to investigate this riot. Now, did not you mean to have it understood before this committee of forty that the speech Mr. Sims made was the cause of this riot?—A. That was one cause of it, I think.

Q. The principal cause?—A. I think that had as much to do with it as anything else; but that was not the only cause.

Q. No; but didn't you talk about that all day Saturday among the white people—among the Democrats?—A. Well, it was generally spoken of.

Q. Was it not discussed in this meeting in the opera house?—A. No, sir.

Q. Nothing said about it there?—A. I think not.

Q. But you had been talking about it during the day?—A. Yes, sir; it was spoken of during the day.

Q. Was there any expectation that Mr. Sims would be there Saturday?—A. It was generally known that Sims was there.

By Mr. VANCE:

Q. The day you went out to New Design, did you see any colored people with guns?—A. Yes, sir.

Q. How many?—A. There were one or two colored men on the road just this side with guns.

A. Which way were they going?—A. They were standing still.

Q. Standing still on the side of the road?—A. Yes, sir; there were some eight or ten colored persons, and one or two of them had guns.

Q. Were you along that night when one of the patrol was fired upon and wounded?—A. Yes, sir.

Q. Hubbard?—A. Yes, sir.

Q. Where did it take place?—A. It was just outside of the corporation line, some hundred yards.

Q. Was it near any houses?—A. Yes, sir.

Q. Who live in those houses?—A. Colored people.

Q. Anybody else?—A. No, sir.

Q. Which direction did the shot come from?—A. It came from the yard of these colored people.

Q. It came from the yard of a colored man's house.—A. Yes, sir.

Q. The man was wounded and the horse also, was he not?—A. Yes, sir.

Q. Did you hear any word said at the time of the firing?—A. I did not.

Q. What was the patrol doing; just quietly passing by?—A. Quietly riding along the road not interfering with any one.

By Mr. LAPHAM:

Q. Were you with them?—A. I was close by.

Q. You spoke in answer to Mr. Vance of an occurrence when there

was an attempt by colored people to rescue a prisoner; about how many years ago was that?—A. I think, I remarked, perhaps some six or seven. I don't remember; it may have been more than that or perhaps less.

Q. It was as early as 1871, wasn't it?—A. I don't remember the date. I am a poor hand to remember dates.

Q. Were you there?—A. I was.

Q. Was Judge Aiken there?—A. He was.

Q. How many colored people were killed?—A. None; there was one bayoneted, but he recovered.

Q. Was there a white man injured?—A. One shot.

Q. By whom?—A. By one of the military.

Q. Give the name?—A. I think it was reported that Judge Aiken—Aiken was then studying law and was a member of the military company.

Q. How many efforts since you have lived at Danville have you known to rescue persons from jail?—A. I don't remember any other except that.

Q. Was not there a mob to rescue Yates from jail?—A. What Yates? I ask for information; I don't remember.

Q. Do not you remember an effort to rescue in August last?—A. I don't remember anything, sir.

Q. Do you remember anything about the man who it was charged had murdered a man by the name of Shepperd?—A. Yes, I remember that.

Q. When was that?—A. It was last July, I think.

Q. I thought it was August.—A. I think; I am not positive, but my impression now is that it was about July.

Q. Did you have anything to do with it?—A. I did not.

Q. Do you know anything of it personally?—A. No, sir; I was in town, but not present.

Q. You don't know personally what took place there?—A. No, sir, except this; I know that the military was ordered out to protect these men.

GEORGE ADAMS sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in the country about 2 miles from Danville.

Q. Where were you on the 3d of November last?—A. When that row was?

Q. Yes.—A. I was in Danville and came to town that day. I go there every Saturday.

Q. What are you at work at there?—A. My chaps work in a factory. I run a little saw-mill at home myself.

Q. Your boys work at the factory and you live out about 2 miles?—A. Yes, sir.

Q. Were you present at the time Lea assaulted Lawson?—A. Yes, sir.

Q. Now, tell what you saw and what occurred at that time.—A. When I was in Mr. Graves' store, I owed him about \$4, and I was thinking to pay his clerk what I owed him and got out the money and I heard a pistol go off. The man that was about to receive the money; I had thrown the money out and he was about to take it, and I heard the pistol go off and a man cried murder, and he run, did not even pick up the money, and I took it and put it back in my pocket and run toward the door there.

Q. You were on the opposite side of the street?—A. It was on one side and I was on the other and there was a crowd made up mighty quick. When I got over there there were five men had pistols cocked.

Q. Name the five men?—A. Lawyer Barksdale was one, Lawyer Oliver was another, John Lea was one, and George Lea, and a man by the name of Bob Miller who is dead, he died since Christmas. These five had their pistols cocked, and Mr. Hatcher, he was the man that was holding the man, and a man named Taylor, and a Mr. Noel, I cannot remember what he had, was beating Hense over the head with a slat or stick, and had a bowie-knife in his hand, and was beating him over the head with something, and I went up and said, "Are you all going to stand and let that man kill that man," and Mr. Freeman came up. I did not want to go up; I didn't have anything.

Q. Is Mr. Freeman a policeman?—A. Yes, sir; and ne says, "Come up men, and let us part these men," and pointed towards me and I started around there. When I started around Mr. Lea cocked his pistol in my face and I grabbed it and he tried to snatch it out of my hand; when he tried to snatch it I fell across him, and when I fell Taylor hit me three licks over the head.

Q. With what?—A. With a stick, or whip-staff, or something of that sort. I don't know what it was, but it didn't hurt much, and when I fell I turned a somersault, and Lea shot at me twice.

Q. Shot at you?—A. Yes; and I run about a hundred yards and they shot at me again, and another fellow was running right at my side.

Q. Who shot?—A. Mr. Lea. There was another fellow running right alongside of me, named Jerry Smith, and when he had run with me about a hundred rods and they missed me and hit Jerry, and Jerry fell right against the wall of a hardware store, and I turned right across and went across to an alley to White's livery stable, and Mr. Peter Booth shot at me, and Mr. Hatcher says, "There's that damned George Adams. I tried my best to kill him." That time I went across the street and the firing sort of stopped for a minute or two, and I saw a man lying there and I came across the street. My mules were standing at the door. I came to move them and my boy sitting in the wagon. I saw a great crowd of men coming down the street with pistols and guns and I just made my escape right through the mob, and that time when I was going the mob was just the same as war.

Q. You heard firing like war?—A. Yes, sir. I went out a piece and waited till it was over, and a couple of men came and told me there were three men lying dead on the street.

Q. And you went away?—A. Yes, sir.

Q. Did you go back?—A. No, sir; I didn't go back, but I know the man that went and fetched my wagon out for me.

Q. Did you know or anticipate any controversy, or did you expect any fight that day?—A. No, sir; I just thought it was a little row happened in the town. You know in Virginia if anything happens, everybody runs up to see what it is. That is the way all the colored folks run up.

Q. Were you armed?—A. No, sir; I didn't have a thing, was not expecting anything.

Q. You were in a store paying some money when you heard the riot outside?—A. Yes, sir.

Q. You went out there; you say that Freeman called on you?—A. Yes, sir.

Q. Did he call on you personally?—A. Yes, sir; he says, "Adams come up here, let us part these men;" had his billy stick in his hand.

Q. Was Freeman armed with a stick or a pistol?—A. He might have a pistol. All the police carry pistols, but he had his billy just so. [Indicating.]

Q. His constable-stick?—A. Yes, sir. When he said "Come up here men, let us take this man off this man," I went around and Mr. Lea watched me and cocked his pistol right on me, and I grabbed it and he tried to snatch it out of my hand, and I snatched it, and when I snatched it again he fell and I fell across him, and Mr. Taylor fetched me three licks over the head and he shot right at me twice.

Q. Then you went away?—A. Yes, sir.

Q. You say you were fired at by Mr. Booth; what is his first name?—A. Peter Booth; and Hatcher said, "There is that damned George Adams, I tried my best to shoot him."

Q. Did you see Mr. Graves?—A. No, sir. They made two rounds of shooting. The first round they didn't kill but one man, that was Jerry Smith, and I run out to Mr. White's stables and then I came up, and old man Potter said, "Don't you tarry on the street here." I went up, and by the time I got back they were going on the same as war, and I got a man to bring my mules out from there.

Q. Was there any bad blood, or feeling among the colored people that there was to be a fight that day; did you hear anything of that kind?—A. No, sir; I did not hear any such thing.

Q. You came in just on your own business and were drawn into it, as you say you had nothing further to do with it?—A. No; I thought it was just a row got up, such as I generally saw.

Q. Did you do anything more than what you said to try and get the pistol?—A. No, sir; I didn't do anything more at all.

Q. Did you strike Lea?—A. No, sir; I did not strike him.

Q. Did you vote on the following election day?—A. No, sir; I didn't vote. Oh, yes, I voted. I live in the country; all we men that live around Wimbeshers' precinct, but the men in Danville didn't; I did not live in town.

Q. You voted in the country, at Wimbeshers' precinct?—A. Yes, sir.

By Mr. VANCE:

Q. I want to ask you a few questions. You talk so fast I can hardly keep up with you. Whose store were you in changing money when this row began?—A. Mr. Basil Graves' store.

Q. Is that on the same side of the street as Mr. Blair's office, or on the opposite side?—A. Here is the left side right here. [Indicating.] I was paying this money right there, and the firing commenced like over that side, on the right hand side going up.

Q. You are intelligent enough to understand what I mean when I ask you if Mr. Blair's office was on the same side this store was on or on the other side of the street.—A. I don't know where Mr. Blair's office is.

Q. Ruffin, Woolfolk & Blair's. You know where Nicholas Hesserberg's bar is, don't you?—A. Yes, sir.

Q. Was it on that side or on the other side from that?—A. On the other side from that.

Q. Then the white people who were on the sidewalk were on the side of the street farthest from you when you came to the door of the store and the colored people were between you and the white people?—A. The colored people were all in the street; they all just gathered around.

Q. There were some on the sidewalk, were there not?—A. I don't remember about that.

Q. Well, you heard the pistol fire while you were changing money.—A. Yes, sir.

Q. More than once?—A. No more than one time.

Q. And then you ran right out without finishing the trade.—A. Yes, sir; he ran out first.

Q. Who?—A. Mr. Sheppard.

Q. He went first?—A. And I just put my money right back in my pocket and went out with him.

Q. Did you go right across to where they were when you came out?—A. Yes, sir.

Q. What was the first thing you saw when you got out?—A. I saw Mr. Noel beating him over the head with something; I don't know what.

Q. Who?—A. Hense Lawson. He had a bowie-knife in his hand just so. [Indicating.]

Q. He had a bowie-knife in one hand and a piece of iron in the other, you say?—A. Yes, sir.

Q. And he was beating Hense?—A. Yes, sir.

Q. Hense was hallooing murder?—A. Yes, sir.

Q. What did you say to the crowd or to the policeman?—A. I said, "Gentlemen, you all going to stand and let that man kill that man?" I said, "That looks mighty hard." They said, "We can't do anything at all; you see all them white men standing around with pistols." But Mr. Freeman commenced flinging up his stick to keep them back, and I said, "Come up here men and take this man off this man."

Q. Did anybody then take hold of the men to part them?—A. Yes, sir; two colored policemen went up, and I don't know but Mr. Freeman did. Two colored policemen took hold of them.

Q. Who took hold of Noel?—A. I do not know who took hold of him.

Q. Somebody took hold of him, did they not?—A. I don't know.

Q. Who took hold of Hense?—A. I don't know. I know one took Mr. Hatcher and one took Mr. Taylor.

Q. The police took them?—A. Yes, sir; sort of got them away from Hense.

Q. Got them back. Was anybody else striking Hense except Noel?—A. I did not see anybody else strike him at that time.

Q. Where was Lea standing with the pistol in his hand?—A. Right around there.

Q. When did you first get hold of the pistol? Was it after Noel and Hense were separated?—A. It was before they released him, and as I came around he cocked the pistol right in my face, and I grabbed it and tried to get it away from him, and I snatched it, and when I snatched it we fell and I fell right across him.

Q. Fell on the ground?—A. Yes, sir.

Q. And when you fell on the ground it was fired?—A. No, sir; it did not; he fired it himself.

Q. Well, it was fired when you were on the ground?—A. Yes, sir. Mr. Taylor took hold of my leg and flung me over Mr. Lea; fired right at me.

Q. Could you see him handle the pistol the way you were when you turned that somersault?—A. He was the man that fired at me and then I run.

Q. Well, did you see him or did you just judge that he fired?—A. It was him, I know.

Q. But you were on the ground when the pistol fired first?—A. I was watching him all the time, because he had the thing in his hand, and I was watching him all the time.

Q. He did not hit you at all?—A. No, sir, he did not hit me.

Q. Then did you get up?—A. Yes, sir; I jumped and run.

Q. When you got up you broke and ran?—A. Yes, sir.

Q. Who started to run with you, Jerry Smith?—A. Yes, sir; there was a gang of us came down——

Q. Well, you did not look back to see who commenced firing, did you?—A. Yes, sir.

Q. You say, as soon as you got up you started to run, but did you look back to see what they were doing?—A. I run, and I heard what they said, and I know his voice.

Q. What did you hear?—A. He said, "Damn you, I will kill you," and I run right across the street after Jerry Smith fell.

Q. You did not go down street after that any more?—A. No, sir.

Q. Did you go on to the sidewalk?—A. I run right through an alley.

Q. Where is that alley?—A. I can tell you the place where it is. It is right by Jerry Nichols' bar-room and Mr. White's livery stable. A woman fell, and I fell right over her and hurt my nose.

Q. You ran down that alley that leads out of the Market street?—A. No, sir; it leads right through Mr. White's stable.

Q. Did you go down Main street to the corner before you turned to the alley?—A. I ran down Main till I struck the corner of Market. There is where I saw Jerry fall, and then I went across and saw another alley. Both alleys came right in like this. [Indicating.]

Q. It was at that corner where Jerry fell?—A. Yes, sir; and his head fell right against the wall.

Q. How far from where you and Lea had the scuffle?—A. About 50 yards, if not more.

Q. How many shots were fired at you as you ran?—A. He fired at me twice more when Jerry fell, and said, "That is the son of a bitch I aimed to get."

Q. Could you hear him 50 yards?—A. He was right at me.

Q. Was he following you?—A. He followed me.

Q. He followed you up, and he said you are the man I aimed to get instead of Jerry?—A. Yes.

Q. How close was Jerry to you when he fell?—A. He may be was as close as that man.

Q. About 3 or 4 feet?—A. Yes, sir; and when I saw him fall I was scared, I turned and went right across the street.

Q. Now, you told us awhile ago that then there was a sort of pause. When was it that you heard the pistols pause awhile before they began again?—A. When I went across the street in that alley by Mr. White's stable, I came across the street to see about my mule, and everybody had pistols, and told me the order was to get away from there, and old man Potter said you get away from here.

Q. Never mind about that. When did you hear the next firing?—A. As I came across the street.

Q. After you had been down to the stable?—A. Yes; I did not go to the stable, I went across to see about my mules, if any of them had got shot. I got across and never did go back to see about the mules.

Q. How long was the pause after the firing?—A. I do not reckon more than three seconds.

Q. Oh, yes; you went from the stable back to the market.—A. Well, it was not a quarter of an hour. I just did make my escape. By the time I got from the market it looked like a war had started.

Q. As well as you could judge in your excited condition, how many white people do you think were there and how many colored people?—

A. It looked like to me as many colored folks as there were whites.

Q. Were there not some more?—A. I do not know about that; there were women.

Q. Well, you can judge.—A. Colored women were all mixed in; I know one thing, there was not a white lady on the street.

Q. What were the colored women doing?—A. They were trading; it was Saturday.

Q. In the stores trading?—A. Yes, sir; and looking on at what they saw.

Q. You saw Mr. Peter Booth shoot; who did he shoot at?—A. He shot down the street as I ran across.

Q. That was when you came back from the stable?—A. No, sir; when I went across towards White's stables he was coming across the street; he hallooed "George Adams, I will shoot you," and I run and he missed me.

Q. When did Mr. Peter Booth shoot at you?—A. Directly after Mr. Lea shot at me the two last times.

Q. Both of them took a crack at you?—A. Lea thought I was there to fight and was dead after me.

Q. But you had talked pretty rough, had you not? You did not tell them that you wanted to part them: you wanted a hand in it, did you not?—A. No, sir; I said, "You are all going to stand, gentlemen, and see them kill that man," just that way; I spoke as calm as I could and that time Mr. Freeman came up; he went into the crowd; had his stick and told the men to stand back; told me to come up and part these men.

Q. You jumped on Lea to take his pistol away from him; that was enough to make him think you took part in the fight.—A. I thought it was time; he was pointing right in my face and I grabbed it.

Q. What was he pointing it in your face for?—A. Going to shoot me.

Q. What for?—A. Because he thought I was coming up to take hold of him.

Q. Exactly; did Mr. Freeman ask you to help part them?—A. He pointed his stick; he says "Adams, take hold here; let us part these men."

Q. Were you in front of the store then or had you got out?—A. I had just got up to them.

Q. Didn't you hear any men trying to keep the peace? Did you hear Captain Olliver say "If they would disperse the whites would?"—A. No, sir; I never heard him say a word.

Q. Did you see Mr. Peter Booth trying to stop anybody from committing a breach of the peace?—A. No, sir.

Q. Did you see the colored policeman, Withers, try to stop that row?—A. Yes, sir; he tried to stop it, and Bob. Adams too.

Q. What did he say?—A. He told them to hold up; he had hold of these men; was holding them.

Q. After that, after these men were separated, did you see anybody trying to keep the peace?—A. I run; I didn't have a chance to listen at nothing.

Q. You did not have a chance to listen?—A. No, sir.

Q. Now, are you right sure that Noel had a bowie-knife in his hand?—A. He certainly had a knife in his hand, but whether he hit Hense

over the head with it or not, I cannot tell. He held it up just so. [Indicating.]

Q. Did you see anything in the other hand?—A. I didn't, but I saw blood.

Q. Well, a man could bring blood with his fist, couldn't he?—A. No, sir; I could not see his eyes and face for the blood.

Q. Cannot a man draw blood with his fist?—A. Cannot, unless you put knuckles on.

Q. How much do you weigh?—A. I weigh 160.

Q. More than that in the fall of the year, don't you, in hog-killing time. You are 6 feet high, are you not?—A. Yes, sir.

Q. Don't you weigh nearly 200?—A. No, sir, I don't; I weigh 165, I think.

Q. Well, you are as big a man as Lea, are you not?—A. I reckon I am.

Q. Are you not larger?—A. I don't know about that.

Q. You were strong enough at all events to jerk him down on the ground?—A. Well, he jerked and I jerked, too.

Q. If Mr. Taylor had not interfered to show fair play you could have whipped Lea, could you not?—A. I did not try to whip him. I just tried to keep him from shooting me.

Q. Well, you could have taken the pistol and you could have overpowered him, could you not?—A. I don't know whether I could or not.

By the CHAIRMAN :

Q. Were you examined before the committee of forty?—A. No, sir.

Q. You were not?—A. No, sir.

Q. Have you been at Danville ever since this affair?—A. Yes, sir; I come there every day or two; sometimes I go there two or three times a week. I have got a little farm of my own and a team.

Q. Were you ever called before the grand jury?—A. No, sir.

Q. Is this the first time you have testified?—A. Yes, sir; the first time.

Q. Your being there was well known to everybody, was it not; that you were there and saw the riot?—A. Yes, sir.

Q. I will ask you why you did not obey the subpoena of this committee and come last week when you were summoned?—A. The reason is that I came to the depot about two hours before the train came and I was in the room and locked the door; there was an old man in there asleep and I waked him. I asked him if I could lock the door; he said he had no objection, the key was in the door, and in about half an hour before train time Freeman came down and shook the door quietly, but it was some time before I would let him in. I thought somebody was coming there. People told me that I had better look out; if I was going away somebody might hurt me, but he kept on till I opened the door. He said, "Which way are you going, George?" I said, "I am going to Washington; I was summoned there." He said, "Have you got any whisky?" I told him, "No, I didn't have any;" and he felt all around me, just so [indicating], and he found I didn't have any and he stepped back and touched Mr. Lea and Hatcher and Dr. Temple and pointed then to me. They all came in and they said, "What in hell do you know about that row?" I said, "Well, I saw it all, and I was summoned down there." They said, "Well, you better know but damn little when you get down there."

Q. Who told you that?—A. Mr. Freeman, and I was mighty scared. I came outside and they watched me and Mr. Lea—I would have come

if he had not looked at me so vengeful. He come up and looked like he would jump right through me. I would not mind Freeman, I had known him fifteen years; but Mr. Lea looked like he would jump right through me. He didn't say anything to me. Mr. Barksdale come in, and I said I didn't believe I would go on that train, and he asked me why? and I told him about it and that they asked for whisky, and searched for a pistol or anything. He said, "Come on, they are not going to bother you." "Yes," I said, "I think they would bother me." He said, "Here are \$7, and come on to-morrow; if you are not a mind to come on to-morrow, wait until I come again. I will be here again the last of the week, and you come on with me. I will have other colored men and then you can go with them, and do not be afraid."

Q. And you waited?—A. Yes, sir; and Saturday evening I told him I was ready to come Sunday, but said I did not have money advanced for me to come on, I would have to find the money myself, and so I made up money to come on myself.

Q. Why did you lock the door there? Was that in the morning or the evening?—A. It was just about two hours before the train come.

Q. What time did the train come—daylight or dark?—A. It goes at 12 o'clock from Greensborough.

Q. At night or noon?—A. At night; and then leaves there at 1.

Q. Then it was night when this occurred?—A. Yes, sir.

Q. Why did you lock the door?—A. They said they were going to all smoke what come down here.

Q. I do not ask you what they said. Were you afraid?—A. Yes, sir; I was afeard. That is the reason I did not come.

Q. If any of these men said anything to you—that is what I asked.—A. No, sir; did not say anything to me before.

Q. When you came out of that store you saw the colored people there, did you?—A. Yes, sir.

Q. Gathering?—A. Yes, sir.

Q. Were they armed?—A. No, sir; did not see them have any.

Q. Are you sure about that?—A. I am sure they was all trading; nobody expecting anything; there was two or three factories all at work; were not expecting a thing.

Q. State whether you saw any weapons in the hands of any of them.—A. Never saw any.

Q. No clubs, or anything of that kind?—A. No, sir; never saw a pistol or gun, or anything.

Q. You are sure of that?—A. Yes, sir.

Q. How many women were there in this crowd of colored people?—A. Women and children? A good many children was there. I had three chaps there myself.

Q. Three boys?—A. Yes, sir; and women. A woman got shot.

Q. How many were there altogether; can you tell?—A. That got shot?

Q. No; how many were there altogether in that crowd?—A. There was, it looked like to me, about one hundred, but the height of them was women and children.

Q. Give us the name of the woman that was shot.—A. I do not know her name. She got shot, and I saw a gentleman take her off some where. They took her off and gave her \$30. I could not state what her name was, but there was a woman there got shot.

Q. Who were the people that gathered around there? Did they look ferocious as if they were going to attack the whites?—A. No, sir; they looked mighty sorry and excited.

Q. Do you think they would have been dangerous to these white people with pistols in their hands, in front of them?—A. The colored?

Q. Was there any danger of the colored people attacking the whites?—A. No, sir; not a bit of it.

Q. Were there any signs or demonstrations?—A. No, sir; I didn't see no signs at all.

Q. Like a flock of partridges before a gunner?—A. Yes, sir; they looked mighty squeamy.

Q. Were there any indications in the crowd of a disposition to fight?—A. No, sir; I didn't see any of them that had any desire to fight.

Q. Were there any threats, or any blows struck?—A. No, sir.

Q. What you said is that it was mighty hard to see a man killed there?—A. Yes, sir.

Q. And wanted to know if they were not to prevent it?—A. Yes, sir.

Q. And you stepped forward for that purpose?—A. Yes, sir.

Q. Do you know of any colored man or woman striking a blow to any of these white people?—A. No, sir; I never saw nary one.

Q. Or uttering an insulting remark?—A. No, sir; I did not.

Q. Did you try to hurt Lea? Did you strike him?—A. No, sir; I did not hurt him, and didn't try to hurt him.

Q. Where did you catch him, on the arm? He had his pistol this way, I suppose [indicating].—A. He had his pistol cocked so [indicating]. It was a mighty long one, and when he pointed round just so I grabbed him and said if I did not hold on this thing he will surely shoot me. He snatched me, and when I snatched him he fell and I fell across him.

By Mr. VANCE:

Q. What day was this scene that took place at the depot?—A. That was last Wednesday night.

Q. Who was the man who was asleep in the room there?—A. I do not know the old fellow; but the gentleman can tell. The old fellow has been there about five or six years.

Q. What room was it in the depot?—A. In the room where the passengers go and sit till the train comes. There are two rooms, one for the colored and one for the whites, and I went into the colored room.

Q. Well, Mr. Freeman came and shook the door and you let him in?—A. Yes, sir; it was away in the night and I thought I would see how it was; what it meant.

Q. It was a public room, was it not, a waiting room at the depot?—A. Well, there was nobody else there but me.

Q. But it was a room for the purpose of people waiting for the train?—A. Yes, sir.

Q. Then you had no authority to lock the door to keep other people out?—A. No, sir; but I thought may be I would go to sleep, and supposing the door was unlocked somebody might come in and kill me.

Q. Kill you while you were asleep?—A. Yes, sir.

Q. They kill people frequently there in their sleep in Danville, do they not?—A. Yes, sir.

Q. It is very common for policemen and others to go around and kill people asleep.—A. There has been a good many killed.

Q. While they were asleep?—A. Yes, sir; I could mention one. I do not know but what you saw it in the papers; I do not know, I forget the gentleman's name.

Q. He was asleep in the depot, was he?—A. No, sir; he was not asleep in the depot, but asleep in his room.

Q. What did Mr. Freeman say when he asked you where you were going, and what was your reply?—A. He said, "Well, George, which way are you going." I told him down the road. He says, "To Washington? I am going, too." Then he says, "Got any whisky?" and searched all around, and I says, "No, sir; I did not have any." I would not have thought anything, but he stepped out just to see and talk with Temple, Lea, and Hatcher and pointed to me, and Mr. Lea never did take his eye off me. I made sure he was going to hit me.

Q. What did Mr. Freeman say to you?—A. He asked me what I know about that row. I told him I saw it and was summoned down here. He said I had better know but damned little when I got here.

Q. He was coming to Washington at the same time on the same train, was he not?—A. Yes, sir.

Q. And these other gentlemen were, too?—A. Yes, sir.

Q. They all came to take the train and not to see you?—A. I do not know, but I was the only colored man.

Q. But you were the main man of the row and you thought they were going to kill you, did you not?—A. No, sir; but I thought I had better watch out.

Q. You say Lea did not say a word to you?—A. He did not say a word, but he looked at me mighty hard and rolled his eyes at me. I told Mr. Barksdale all about it; Mr. Barksdale can witness to it.

Q. But you did come?—A. I came last night with about 200. I saw there was a good chance to come, and I started last night and got here to-day.

Q. Did you bring two hundred escort on with you here?—A. They were going to a railroad, There was a white gentleman had them.

Q. What railroad?—A. I do not know.

Q. Where did they leave you?—A. They all got off the depot, down here, together.

By the CHAIRMAN:

Q. Railroad hands?—A. Railroad hands; yes, sir.

By Mr. VANCE:

Q. They saw you all the way on?—A. Yes, sir.

Q. Do you not feel alarmed now?—A. I feel a heap better cheer than I did that night.

Q. What do you think about going back again? You have to go back home by yourself?—A. Yes; I suppose I will.

Q. Do you feel pretty uneasy?—A. Well, I have got the risk to run. May be I will go back with these men; I know pretty nigh all these colored.

Q. Well, some of these are women, and as you are not fighting folks, I am little uneasy about them getting back. Do you think you can get back in safety? Well, who heard the conversation between you and Freeman?—A. There did not nobody hear it. That old man didn't hear it; I know he was asleep, and the man that gives tickets out hadn't got there. Just as soon as he came and opened the ticket office they did not say any more to me, and Mr. Bardsdale come and they did not say a word to him.

Q. Do you not think you would have been safe in coming on with Mr. Barksdale?—A. I do not know. I said if he would let me stay in the coach with him I would come, and he said if you are uneasy I would not advise you to go.

Q. And you say you did not mind what Mr. Freeman said because you knew him?—A. Yes, sir.

Q. But that when Mr. Lea looked at you you gave up?—A. Yes, sir; I thought I was going to die certain.

Q. You thought that meant blood and destruction?

By the CHAIRMAN :

Q. You probably recalled what occurred on the 3d of November?—A. Yes; that is what I thought.

CHARLES ADAMS sworn and examined.

By the CHAIRMAN :

Question. Where do you live?—Answer. I live in Danville.

Q. What do you do?—A. Driver and teamster for Nicholas & Hessberg.

Q. Are they brewers?—A. They are agents for brewers.

Q. Do you distribute beer? Is that your business?—A. Yes, sir.

Q. Were you engaged that way on the 3d day of November last?—A. Yes, sir.

Q. Did you see anything of the riot, as it is called sometimes, at Danville?—A. No, sir; I never saw any of it. I only saw one man with a pistol.

Q. Where was that, and who was it?—A. That was Captain Graves.

Q. Where was that?—A. It was on the corner of Main and Market streets.

Q. What time of day?—A. I really don't know; it was about 4 o'clock; somewhere along there.

Q. Who was the person you saw with a pistol?—A. Captain Graves.

Q. The gentleman who has testified this morning?—A. Yes, sir.

Q. State what occurred at that time.—A. I had just drove in with my wagon at the side door of the house and got out, and went in the house and went back in the rear part of the building.

Q. Whose building?—A. Nicholas & Hessberg's; and I heard some one hollering "murder," and I started towards the front door, and the man that I work for, Mr. Nicholas, was in the house, and told me not to go out the door. He says, "If you go out there there is going to be some trouble out there," and I went back in the house, and after that I heard the shooting commence very rapidly, and just about the time it was sort of ceasing Mr. Nicholas told me—he says, "Charles, you better go out there; your horses will go away." Just as I went out the horses were going a piece from the door very rapidly. I didn't catch them, but I heard somebody holler on the right side to me, and I turned to look, and Captain Graves was standing with his pistol in his hand at the corner, and I turned to him and says, "Captain, don't shoot me; I just run out to catch my horses." He says, "Well, get out of the way." I says, "I just run out to get my horses, captain." I thought he would understand me, and he says, "Well get in the house," and I started in the door backward, and before I could get in he shot me; just as I went in the door he shot a second time.

Q. Did he hit you?—A. Yes, sir.

Q. Where?—A. He struck me, the ball went in there and came out here. [Indicating arm.]

Q. Just above your wrist?—A. Yes, sir; broke the small bone of the arm as it came out.

Q. You know Captain Graves well, do you?—A. I have known him ever since I was a little boy.

Q. You were raised in Danville?—A. I was principally raised in Danville.

Q. The Captain Graves you refer to is the gentleman sitting near you?—A. Yes, sir.

Q. He is the witness who testified this morning?—A. W. P. Graves; yes, sir.

Q. What did you do; did you go back?—A. Yes, sir; I went back in the house.

Q. What did Mr. Nicholas say to you?—A. He asked me who shot me and sent after a doctor to have the wound dressed.

Q. What did you tell Mr. Nicholas at that time?—A. I told him that Captain Graves shot me.

Q. What did Nicholas say to that?—A. He says he was mighty sorry; he didn't see what Captain Graves wanted to shoot me for. I told him that I hollered at Captain Graves, too, before he shot me.

Q. You heard the general firing?—A. Yes, sir, I heard it, and started to the door, but Mr. Nicholas told me not to go out.

Q. Did you see anything more of the firing outside?—A. No, sir; it was over when I run out to catch my horses.

Q. Had you any arms; did you ever carry arms?—A. Never carried one in my life.

Q. I will ask you about the colored people generally; are they armed or not, so far as you know?—A. No, sir; not as I know of. I never saw any carry any arms with them.

Q. What are the politics of Captain Graves?—A. I have no doubt he has always been a very hot old Democrat.

Q. Did you hear Captain Graves's testimony?—A. This morning?

Q. Yes.—A. I heard a portion of it.

Q. Did you hear that portion in which he denied that he shot you?—A. I heard him speak to these gentlemen up here and say that he thought he was the occasion of saving my life twice; which he told me in town.

Q. Have you any doubt that he shot you, now, since his explanation?—

A. No, sir.

Q. Could you see him directly when he spoke to you?—A. Yes, sir.

Q. You could see the aim of his pistol?—A. Pointed right down direct towards me.

Q. There was no difficulty in hitting you if he fired towards you?—A. No, sir, not at all; there was nobody betwixt me and him.

Q. How far apart were you?—A. About 30 feet.

Q. How in proportion to this room; as far as from here to that door, [indicating] or farther?—A. About as far as the door.

Q. About 30 or 40 feet?—A. Yes, sir.

Q. Did you throw up your arms?—A. I threw up my arms and says; "For God's sake, captain, don't shoot me."

Q. Both arms?—A. This arm. [Right.]

Q. Hold up your arm as you held it then, and please unbutton your shirt-sleeve and show us the wound, so that we can see the character if it.—A. [Exhibiting wound.] I had my arm in that position as I went in the door backward.

By Mr. LAPHAM:

Q. You were backing into the door?—A. Backing into the door; yes, sir. He was standing at the corner, and I was going in the door.

By the CHAIRMAN:

Q. The ball struck near the elbow, ranged towards the wrist diagonally, and broke the smaller bone?—A. Broke the smaller bone.

Q. I will ask you whether you know that Captain Graves was acting

as special constable to keep the peace?—A. I couldn't say myself, because I was at home.

Q. I don't ask you unless you saw him, because I don't want hearsay. Did Captain Graves say anything to you at the time he shot at you, except to tell you to get out of the way?—A. No, sir; I threw up my hands and says, "Captain, for God's sake don't shoot me," and I started in the house with my back to the door, looking right at him this way.

Q. Did you vote on the Tuesday following?—A. No, sir.

Q. Why didn't you vote?—A. One reason, I was at home wounded, and another reason, I was really afraid to vote. If I hadn't been wounded I wouldn't have voted.

Q. Why wouldn't you vote?—A. Because I was afeared.

Q. Had you registered?—A. Yes, sir.

Q. Had you any instructions not to vote?—A. None in the world.

Q. Was it your intention to vote at the time you registered?—A. Yes, sir; it was.

Q. How old are you?—A. As near as I can guess, I am about thirty-four.

Q. You are a native of Virginia?—A. Yes, sir.

Q. Have you a family?—A. Yes, sir; a wife and one child.

Q. Were you examined before the committee of forty?—A. No, sir.

Q. Were you examined before the grand jury?—A. Yes, sir.

Q. Did you see enough of the crowd of people out there to tell whether the colored people were armed or not; could you see them from where you were?—A. No, sir.

Q. You could not see them?—A. After I say I heard some one call "murder," and Mr. Nicholas told me to go back and I went back in the rear part of the building again, and started to the door when the shooting commenced the last time and got near the door. Mr. Nicholas was standing in the door and came very near getting shot, and told me to go back and pull the doors together.

Q. When did your horses get away?—A. That was before I went out to catch the horses. He saw them start off and told me to go out and catch them.

Q. What started the horses; the general firing?—A. It was the general shooting; yes, sir.

Q. State whether there were marks of balls on the store.—A. I saw one or two, I believe.

Q. Where?—A. On the left hand side of the street where the firing first commenced.

Q. On the store of your employer, were there any marks of balls that you remember?—A. I don't think there are on his door, but there are on the door just above a barber-shop.

By Mr. VANCE :

Q. You say Captain Graves called to you twice to go into the house before he shot?—A. He first hollered to me to get out of the way.

Q. You first hollered to him not to shoot, didn't you?—A. I says, "Captain, I just run out here to catch my horses." He says, "Get in the house." I was a piece from the door. I threw up my hand and says, "Captain, for God's sake don't shoot me," and before I could get in the house he shot me.

Q. Do you know any reason why he shot you when he told you to go into the house?—A. No, sir; I don't.

Q. Have you and he had any enmity or grudge?—A. None in the world. He may have had some against me unbeknowing to me.

Q. As far as you knew there was no enmity to you?—A. None at all.

Q. Who was with him at the time?—A. I saw somebody pass, but couldn't say now.

Q. You didn't see anybody by his side?—A. No, sir; I didn't. He came as I got out the door. I don't know whether he came up or down.

Q. You didn't know much about the position of these white people that were fighting up the street?—A. No, sir; I didn't see them. I can't tell whether they had got down to the corner or not.

Q. And after you got in the shop you didn't come out any more until it was all over?—A. No, sir.

Q. Who was in the house at Nicholas & Hessberg's when this took place?—A. There was three or four of we colored boys.

Q. Mr. Nicholas was there, was he?—A. Yes, sir; Mr. Hessberg, too.

Q. Did they have a clerk?—A. Yes, sir.

Q. Was he there?—A. Yes, sir.

Q. What is his name?—A. His name is Mr. Carter.

Q. Do you recollect his given name?—A. His name is Dug Carter, I think.

Q. B. D., is it not?—A. It may be; I don't know; I never paid any direct attention to his name.

Q. Was Hessberg there?—A. Yes, sir.

Q. Any other white men that you can remember?—A. I don't remember that there was.

Q. Are any of the colored people of Danville Democrats?—A. I don't know. I heard that one or two of them voted there on the day of election was Democrats. I don't know; I couldn't tell you.

Q. How do they treat the colored people who are Democrats there; you don't think much of them, do you?—A. You speak how I treat them?

Q. How do the colored people treat them?—A. They treat them the same as any one else, I suppose; that is the way I do.

Q. Are they received socially?—A. Well, I don't know any of them.

Q. You don't know any who are Democrats?—A. No, sir.

Q. Where is this barber-shop where you saw bullet-marks?—A. It is the door above Nicholas & Hessberg's.

Q. On the same side of the street?—A. Yes, sir.

Q. How many balls?—A. I think there was one.

Q. You saw one?—A. Yes, sir; and one below.

Q. One below on what?—A. On Averett & White's shoe store. That is the next door below, on the corner of Market and Main.

Q. Across Market?—A. Yes, sir.

Q. Did you ever look for any about Woolfolk & Blair's?—A. No, sir.

Q. Never looked to see any there?—A. No, sir.

R. J. ADAMS sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Danville, Va.

Q. Are you a brother of the witness just sworn?—A. Yes, sir.

Q. What has been your occupation in Danville?—A. I was a policeman for six months. Before being a policeman I was a tobacco roller.

Q. You were in the tobacco business and then you were a policeman for six months?—A. Yes, sir.

Q. When did you cease to be a policeman?—A. First of January.

Q. Then you were a policeman during the time of what is called the Danville riot?—A. Yes, sir.

Q. Where you there present on that occasion?—A. Yes; I was there that day.

Q. Well, you may state when you first knew of the affray going on.—A. That day, I think it was about 3 o'clock, as near as I can recollect, I was at Mr. White & Everett's store, on the corner just below Market street.

Q. Corner of Market and Main?—A. Yes, sir; I stepped in and spoke to Mr. White; just as I stepped in and spoke to him I heard some one holler "murder." I thought at first it was fire, but I ran right up the street as hard as I could; by the time I got there I saw two pistols like this [indicating].

Q. Held up in the air?—A. Yes, sir; just so, and a double-barrel shot-gun, and just as I run up of course I started right on to separate the men that were fighting.

Q. Where did you see the double-barrel shot-gun?—A. Dance, I think his name is, standing in the door of the insurance office.

Q. Just opposite where this crowd was?—A. Right at the place, and the position he was standing was just beyond the two men who were fighting.

Q. Who held pistols?—A. Mr. Lea and Mr. Taylor, I think.

Q. Who were then engaged in a fight?—A. Noel and Lawson.

Q. Who was it cried out "murder"?—A. That was somebody outside; neither one of the men that was fighting; some of the boys outside hollered "murder," and of course I run on to part the men, and just as I run up Mr. Lea hollered out, "Damn it all, no man touch." I says, "Gentlemen, I am an officer of the peace and want to separate, the men." Then Mr. Corbin spoke and said, "That man is an officer; let's part 'em."

Q. Who is Mr. Corbin?—A. Jeff Corbin, who was here last night a week. He says: "He is an officer, let's part 'em." Lea says: "He can part them if he don't strike." I says, "Gentlemen, its not my business to strike, its my business to keep peace." Then I took hold of the two men and separated them, and got them loose, or was about to get them loose, and that time the scuffle occurred between Lea and George Adams. George Adams snatched Lea off the sidewalk down in the gutter; seemed to be trying to get his pistol out of his hand; I didn't see how it come, I was noticing the two men I had hold of, and as Lea raised out of the gutter he shot, and then the crowd scattered for a few minutes.

Q. Lea shot at who?—A. At George Adams. Then the crowd scattered for a few moments.

Q. Did Lea pursue Adams or did he stay there?—A. Not at that time. You see when he shot of course the crowd of colored people scattered. There was not more than two or three white people there then, the first time, and but six or seven colored people. It was about the time the factories was out in Danville, and Saturday evening there is always a crowd on the street.

Q. Two or three white people and half a dozen colored people?—A. At the first of it, yes; and the shooting of that one pistol caused people to come from each side of the street, both white and black, and I went up to the corner to blow my whistle, and send over to the chief, who was at the mayor's office; they were trying some cases over there and somebody told him, "Somebody come out and help;" if they didn't there would be a fuss out there.

Q. What kind of a call had you ; a telephone ?—A. No ; a whistle.

Q. You blew your whistle ?—A. Yes, sir ; by that time a crowd came from the court house and from the opera house. The whites came from the court house and the opera house, and of course the colored people were going on up, children and women and men.

Q. There were not any white women ?—A. I don't recollect seeing any white women on the street that Saturday ; don't know the reason of it, but there was no white women there at all.

Q. But the colored people gathered up, men, women, and children ?—A. Yes, sir, as they always do whenever they hear a policeman has a man. If a policeman has arrested a man you will find before they get to jail twenty-five women and children will follow on going to see what you are going to do with them. That's the way the crowd ran up that day.

Q. Were Mr. Hatcher, Oliver, and Motley there ?—A. Yes ; they came from the opera house.

Q. They were the person's who have been examined here ?—A. I don't know whether they have been here or not ; I think they have.

Q. Hatcher has.—A. He is the one, then. They were trying Mr. Oliver over before the court-house about having a concealed weapon on Friday night, and as he came down the street he walloed to me, "Damn it, get off the street."

Q. That is, Captain Oliver to you ?—A. Yes, sir ; he says, "Damn you all get off the street." Says I, "I am trying to keep the peace the best I can ;" he says, "We don't want none of your damn peace ; get out of the way." Then my younger brother, he steps up and says, "Bob, you get out of the crowd, because one of them men will kill you directly and you won't have any protection at all." That was before I got uneasy ; I was trying to keep the peace, and they all saw I was trying to keep the peace ; then I looked at it and thought over it, and sort of stepped back, and then I said to the colored people, "You had all better leave here. Of course you aint doing nothing to raise disturbance, but you better leave." Hatcher came up and says, "Damn it, make these niggers get off the street." Freeman says "The colored people aint doing nothing if you all don't bother them they won't bother you." Hatcher says, "Damn it, we are going to kill them and all their backers," just so.

By Mr. VANCE :

Q. Who is that ?—A. Hatcher. Then Mr. Freeman, I reckon he must have got scared, left from where the white people was, stepped back of them, getting on the outside of the colored people, and of course all that was on the outside ; he did advise to leave ; I told them all to leave, and some got away. I saw from the spirit of the white people that they was going to attack them some way or other.

By the CHAIRMAN :

Q. At the time Mr. Hatcher made this remark, was he armed ?—A. Yes, sir ; he had his pistol.

Q. At the time how many white people were armed ?—A. Everybody up there had pistols.

Q. How many were there at that time ?—A. Fifteen or twenty.

Q. That was before the general firing ?—A. Yes, sir ; that was between the one shot and the general firing.

Q. No one had fired except Lea ?—A. Except Lea, up to that time.

Q. Now let me ask you if any of the colored people at that time had arms ?—A. I was the only man that had a pistol that I saw. We gen-

erally wear two kinds of uniform down there. I had a sack blue coat, and had my pistol in my breast-pocket, where it could be seen.

Q. Had you that exposed?—A. No; it was in my pocket. If I had pulled it out I would have been killed before I got it out; never thought of pulling it out; never put my hand on my pistol at all.

Q. What had you in your hand?—A. I had my billy. The pistol was in my pocket like this. [Indicating.] Mr. Motley says, "I see you have got your pistol; but, damn you, it will not do you any good in this crowd."

Q. How many, if any, of the colored people were armed?—A. I did see one armed; I did after the shooting; I saw one man run and fall, and as he fell he dropped his pistol somehow or another. That is the only pistol I saw amongst the colored people.

Q. Did you see any drawn, though?—A. No, sir; there was not one drawn.

Q. Had they any sticks or staves, or anything of that kind?—A. No; didn't have anything at all that I saw.

Q. You say they were all just out from the factory. Were they in their working clothes?—A. Working clothes; just coming from the factories.

Q. What threats were they making, if any?—A. Were not making any threats. This George Adams said more than anybody I heard, and all he said was, "It was a pity to let one man beat another dead," and he said to me, "I would like to show you the man that shot at me."

Q. Who said this?—A. George Adams.

Q. That was the one who testified first here. He said I would like you to see the man who shot?—A. I would like to show you the man who shot at me.

Q. Was that addressed to you?—A. I says, "George, you must go away from here." I says, "If you all keep on fooling round here you are going to get hurt." He says, "All I want to do is to show you the man," and then I heard Lea say, "Yes, damn you, I am the man."

Q. Did Lea step forward then to the curb?—A. I don't know whether he stepped forward or not. I heard him say, "Damn it, I'm the man," and the firing commenced. I don't know who was the first man who fired.

Q. Then Adams ran?—A. Everybody run.

Q. Did you see him run?—A. Yes, sir.

Q. Where did the firing commence? Who fired the first shot?—A. I can't tell who fired first shot; they all came near about at once.

Q. Did you hear any cry to fire?—A. No, sir; all I heard I heard him say "Damn it, I'm the man," and the shooting commenced about that time.

Q. From whom did the shooting commence?—A. From the white people.

Q. By whom, so far as you observed?—A. I thought all that was there was firing from the way it was.

Q. What became of the colored people then?—A. They scattered each side of the street.

Q. How many shots were fired?—A. About one hundred and fifty or two hundred.

Q. Did you see any colored people fire then?—A. No, sir, they didn't have time to fire then; they run.

Q. Where did they go?—A. Some through the market, some up street, some down street.

Q. They dispersed.—A. Yes, sir; as quick as possible.

Q. How long did that firing continue?—A. Not more than two minutes, I don't think. It just continued about long enough for everybody to fire around what was in their pistols.

Q. Were these five-shooters?—A. Yes, sir.

Q. They all disappeared; where did you go then?—A. When the first shooting commenced I know I was standing sort of off the pavement. I runs down there and stopped at the corner, where I could see what they were doing. After the shooting was over I saw Captain Graves making way to where I was. I was the only colored man there just at that time. He made way to where I was, and I thought he was after me. Then I moved down street further. Just as I moved down street my brother Charles came out of the door——

Q. Out of the door of Nicholas & Hessberg's.—A. And I heard the captain holler, "Look out; I am going to shoot."

Q. Who?—A. Captain Graves.

Q. That is the gentleman who is sitting on your left now.—A. Yes, sir. Of course I knew there was no one down there but three men. That was another man that passed me and my brother. He was coming and of course I made way on down street and he fired, and when he fired the first time I kept going, and I thought I was shot, but wasn't; he fired again the second time; there were only two balls fired down Market street; two balls came down. Captain Graves shot down that street twice.

Q. You say one of these balls struck Charles Adams?—A. Yes, sir.

Q. And you ran on farther?—A. Yes, sir.

Q. Could you see where Captain Graves was pointing his pistol?—A. He was pointing it directly down that street.

Q. And you and your brother were the only persons there?—A. Me and my brother and another person that works for Captain Graves. I didn't hear any more firing and made right back to the street again. By the time I got back there of course all the men that had pistols had done shot them out, and had been and got double-barrel shot-guns.

Q. Did you hear your brother say anything?—A. No, sir; I couldn't understand what he said. I heard the captain say, "Look out," and I thought he was after me. I didn't know who he was after.

Q. Then the white men came back with double barrel shot-guns and the colored people all disappeared?—A. Yes, sir.

Q. Let me ask you if the colored people showed any signs of resistance at the time they were first fired upon; when Lee first stepped out and made that remark.—A. No, sir; the first shot that he shot the colored people run; they left at the first shot.

Q. About how many pistols were fired in that first volley?—A. Only one, that Lea first fired.

Q. I mean when he came out on the pavement there and said, "I am the man."—A. That is about the time there was ten or fifteen.

Q. Was there any firing then from among the colored people?—A. No, sir; there was not.

Q. You say white people were coming out of the opera house, did they form a line over on the corner of Main and Market, across from the other firing?—A. Of course; they stood on the sidewalk on the north side of Main.

Q. Well, as I understand, the other firing was on the south side of Main.—A. No, sir; it was on the north side that the firing was.

Q. [Exhibiting map.] Here is the opera house, and here's where the firing first commenced.—A. No; you have got this a little wrong.

Q. Fix it, and satisfy yourself so that you will understand it. Here's where the firing first commenced, and here was the opera house?—A. Yes.

Q. Now, where was Captain Graves at the time you saw him.—A. When I first saw him he was right up in here, near where the people were firing.

Q. Where the next time? —A. The next time he run to this corner, to right here, where Charles stepped out of the door, and I was down right about there.

Q. Now, if Captain Graves was standing there chance shots from the white crowd would come right towards him, wouldn't they?—A. Yes; the white people were shooting right down this way, across this way, and up that way.

Q. Now these people that came out of the opera house, were they firing any?—A. I don't think they were all from this direction.

Q. Then the firing from that crowd would be about toward where Captain Graves was.—A. Yes, sir; the colored people were here; there was a ball right in this door here, coming from that way.

Q. Diagonally?—A. Yes, sir; it struck Nicholas's door and is there now.

Q. I will ask you if there was any expectation on the part of the colored people of any fight that day, so far as you know.—A. No, sir; the colored people—on Friday there was some threats made by the white people the time that Mr. Sims was speaking, and it was thought that the white people were going to tackle Mr. Sims, not the colored people, and in the morning of course everybody thought Mr. Sims was going to be tackled before he left town. Then of course after he left they was not thinking about any attack upon any one else.

Q. There was no expectation of this fight so far as you know?—A. No. The colored people knew they hadn't said nothing and it was because of what Mr. Sims said that the white people was mad.

Q. And no preparations were made?—A. No; the colored people didn't make any.

Q. You were engaged in performing your ordinary duty as a policeman at the time this occurred?—A. Yes, sir.

Q. I will ask you as a policeman whether the white people were in any danger from this crowd of colored people before they commenced firing.—A. No, sir; because the colored people would never have thought of attacking the white people.

Q. The white people were armed, you say?—A. Yes, sir.

Q. And they were not?—A. No, sir. About two months before the election they held court in Danville and the grand jury indicted the old police force and everybody they knew for carrying pistols, for carrying concealed weapons, and you know of course the colored people being poor they couldn't pay for carrying a pistol 15, 18, or 20 dollars when they didn't have the money, and of course that scared them, and those that had been carrying pistols stopped, and I don't believe there was five pistols in the whole crowd of colored people if they had been searched.

Q. About two months before this time the policemen were indicted for carrying concealed weapons?—A. Yes, sir.

Q. Were other people indicted for carrying concealed weapons?—A. Some.

Q. And white people?—A. Yes, sir; some white people.

Q. And that prevented them from carrying concealed weapons?—A. Yes, sir.

Q. Did it prevent the white people?—A. Of course not; they were

able to pay the fine. At the time I don't suppose there was a white man went on the streets without a pistol.

Q. Did you vote at the election?—A. I did.

Q. You voted at the election in Danville?—A. Yes, sir.

Q. Did the colored people generally vote?—A. No, sir. On Monday, the day before the election, the mayor issued a proclamation.

Q. I didn't know anything about that.—A. I was going to tell you what the colored people had said about voting.

Q. All right—A. The proclamation was issued, and I had them carrying round. I carried them to the people; some of them say, "Do you think we be safe on the day of election?" I say, "Probably you may." They say that that proclamation was only written up to get them to come out that day, and the most of them said they wouldn't vote; the most of the colored people round there thought it was a sham to get them killed. I felt of course myself that as I was on the street near the crowds through the whole riot probably I might stand it, and I went up and voted.

Q. What proportion of the colored people voted on that day, as near as you can tell?—A. I don't think there was more than half a dozen or a dozen.

Q. How many colored voters are there in Danville?—A. I think, if I am not mistaken—I have forgotten—but I think the Readjuster party at that time was 300 majority.

Q. How many votes altogether could they poll?—A. About 900, I think. About 300 majority.

Q. About 600 of the Democrats then?—A. Yes, sir. Of course I am not positive about how many votes there are.

Q. Did you see any persons armed on the day of election?—A. Yes, I saw white people were walking about, some of them with arms.

Q. With pistols or with muskets—guns?—A. Some of them pistols and some muskets.

Q. Were they at the polls, did you see?—A. No, sir; I didn't see them at the polls.

By Mr. VANCE:

Q. You say that the colored people ran at the first fire of Lea's pistol?—A. They did.

Q. Was there after that some considerable effort made by you all to get the black people to disperse?—A. There was.

Q. Why did you try to get people to disperse that had already run?—A. I told you the first fire the people scattered, but at the fire of the pistol other people come.

Q. I understood you to say to Mr. Sherman that the crowd dispersed and run on the first fire of Lea's pistol?—A. So it did.

Q. And then they came back?—A. They came back.

Q. When they came back was the time the efforts were made to keep the peace?—A. Yes, sir.

Q. Did Mr. Freeman try and help you keep the peace that day?—A. Mr. Freeman stood by in the crowd and Mr. Hatcher spoke to him and told him to make them damn niggers get back. Mr. Freeman said they wasn't doing anything, and Mr. Hatcher said if you don't make them get back I will kill them and all their backers. Then Mr. Freeman moved on out of the crowd.

Q. Didn't Freeman try to get them to disperse?—A. He spoke to white and black people both.

Q. That is what I wanted you to say.—A. Yes, he did.

Q. And when he saw they wouldn't he got back?—A. He got back.

Q. Did Mr. Peter Booth try to get the people to disperse, too?—A. I don't recollect whether he did or not.

Q. Didn't you see him in the crowd of colored people talking to the crowd personally?—A. I did not.

Q. Did you see Mr. Corbin?—A. Yes; he did all he could to try and keep the peace.

Q. What did he say?—A. He said tell the colored people to go away; if they didn't go away they would get hurt.

Q. What did the colored people say?—A. They said they wasn't doing anything, just standing about to see what was going to happen.

Q. Did you hear Captain Oliver make any remarks to the crowd and propose that the white folks would go away if the colored would?—A. I didn't hear that. He told me I must go away, but whether he said that or not I don't know, I didn't hear; I don't say he didn't say it.

Q. He came up from the opera house, didn't he?—A. No, sir; he came from the court-house.

Q. There had been a trial up there about carrying concealed weapons?—A. Yes, sir.

Q. When he first came up was his talk and attitude hostile, or did he try and stop it?—A. He come mad, cursing, and saying get back.

Q. At that time I understood you to tell Mr. Sherman there was only two or three white men there?—A. Only two or three white men.

Q. And a large number of colored people?—A. Yes, sir; there were two or three white men and four or five colored men when Mr. Oliver got there.

Q. Well, before the firing became general, how many colored people, and how many whites, in your best judgment?—A. I thought there was about twenty-five white people and forty or fifty colored people; both women and children was in the crowd of colored people.

Q. They were in the rear of the crowd; they were not standing up next to where the quarrel was going on?—A. All right long there together; all mixed up.

Q. Were they in front taking part in the row, or standing back on the outskirts of the crowd?—A. Standing right there in the street, between one side of the street and the other. Of course they was not right jam up in the crowd.

Q. You don't understand my question. Was there anybody but men in the front part of the crowd that was talking to the white people?—A. There were boys all in the crowd.

Q. Were there any women?—A. The women were standing sort of on the outside. Of course they wasn't in front.

Q. That is the very question; that is the way they were standing?—A. Yes, sir.

Q. Don't you think there was more than forty or fifty when the firing began?—A. I don't think so. My testimony before the grand jury was that I didn't think there was over forty or fifty.

Q. That is your best judgment?—A. That is my judgment, of course.

Q. Did you see the scuffle between Adams and Lea? I think you testified to that.—A. I saw Adams when he snatched Lea out in the gutter.

Q. They came down on the ground, didn't they?—A. Yes, sir.

Q. With Adams on top of Lea?—A. No, I think Lea was on top; neither one didn't fall.

Q. Did the pistol fire before Lea got up?—A. He fired the pistol as he was raising.

Q. Was Adams up then, or was he down on the ground?—A. Adams was up and going.

Q. Did Lea take after him and pursue him?—A. No; not at that time.

Q. Well, when did he?—A. I don't know, but if he run after him at all it was after the firing commenced. That was when Adams came up and said, "I want to show you the man that shot at me." If he run after him at all it was at that time.

Q. You didn't see that, though?—A. No, sir; I didn't see him run after him.

Q. When the general firing began Lea was present, wasn't he?—A. Yes, sir.

Q. And one of the chief men that did the firing?—A. Yes, sir.

Q. Well, where your brother was shot was down the street after the firing was over?—A. After the firing was over there might have been some stray shots after that, but after the volley was over then occurred that shot.

Q. Were you near your brother when he was shot?—A. I guess I was beyond him about as far as from here to the door.

Q. You say you thought he was shooting at you?—A. That is what I thought; yes, sir.

Q. And he called out "Look out; I am going to shoot?"—A. That's what he said.

Q. Well, why would a man warn a man that he was going to kill?—A. That's what I don't know.

Q. You didn't hear him call out for your brother to go into the house?—A. I heard him call out; I didn't hear him call out any names.

Q. You didn't hear anybody say, "Go in the house; go in the house" twice?—A. No, sir; I didn't hear that.

Q. Was there anybody near Captain Graves at that time?—A. I don't think there was; I didn't see any one else.

Q. Did you hear any other pistols but his at that time?—A. Two fires were made down there, and I thought both were his.

Q. Did you turn around to see who it was?—A. Of course I looked back to see what it was, but kept running; of course, I had to get out of the way.

Q. What I want to know is, did you look back to see if there was any one else but Captain Graves there?—A. I didn't see any one else.

Q. He was by himself?—A. Yes, sir; all the shooting was over, and I guess he had about a couple of balls in his pistol and wanted to get them out, too. I reckon I told some of the gentlemen there that I thought he shot at me, but he said he didn't; he said nobody pointed at me. I told him I didn't think they ought to shoot at me because I was trying to keep the peace as much as anybody that was there.

Q. What's the name of that other man that dropped his pistol?—A. His name was Howson Keene, I think.

Q. Where is he now?—A. In Danville.

Q. Has he been summoned here as you know?—A. I don't know.

Q. You saw no other man with a pistol?—A. I did not.

Q. Did you see Davis Lewellyn have one?—A. I did not; I saw him, but didn't see him have a pistol.

Q. Did you see any marks of bullets on the houses after the fight was over?—A. I did.

Q. What houses?—A. There was some on Nicholas's and some on the opposite side of the street.

Q. What others on the same side of the street with Nicholas's?—A.

I don't think I saw any on that side except Nicholas's—yes; there was one there on the barber-shop.

Q. Is Nicholas's a wooden house?—A. Yes, sir; no, sir; a brick house, but a wooden frame, the front made of wood.

Q. Did you see any on Woolfolk & Blair's?—A. I don't recollect seeing any. I never noticed; I don't think any one was looking toward Woolfolk & Blair's, and I never noticed.

Q. Did you hear any of the colored people say when the crowd was first told to disperse, "We are going to have it out right here?"—A. No, sir; I didn't hear them.

Q. Why didn't they go away when so many were urging them and counseling them to go away, including yourself and Freeman, both officers of the law?—A. I don't know.

Q. About these indictments, you don't mean to say that only colored people were indicted for carrying weapons?—A. I didn't say that. The police force was not composed of colored people, you know.

Q. Well, the police force were not fined, were they, for having pistols?—A. No, sir; they wasn't fined; for you see we were indicted, and it went on for about a couple of months; but since then they got out of it somehow; I don't know.

Q. I will ask you if there wasn't a *nol. pros.* entered as to all the policemen?—A. Yes, sir; they wasn't fined.

Q. And numbers of the white people were indicted at the same time?—A. Yes, sir; and found for it, I think.

Q. As a general rule, didn't you find that the colored people had arms as well as the white people?—A. No, sir.

Q. In your dealings with them there didn't you find a great many of them with pistols?—A. No, sir; very seldom ever saw a colored man with a pistol about him.

Q. Didn't you know a great many of them had them, although they didn't show them?—A. I know some of the boys had pistols which they kept at home, sometimes in their breast-pockets.

Q. Didn't a great many of them have guns at home?—A. Yes; some had guns.

Q. In proportion to the numbers, didn't as many colored people have guns as white people?—A. No, sir.

Q. Didn't more of the colored people spend their time hunting than white people?—A. There may be more hunt than white people, but don't more of them have guns than white people.

Q. You mean that they didn't hunt with guns?—A. Oh, yes; when they hunt they hunt with guns; but you see all the white people had guns in town.

Q. I am talking now about the habit of buying guns; the hardware stores would sell them to colored people?—A. Of course; but that day they wouldn't let them have them. They can buy them now as quick as any other man.

Q. And could before?—A. Yes, sir.

Q. That day they shut down on them?—A. Yes, sir.

Q. You didn't see any white men armed that day of the election at the polls?—A. No, sir; I was off duty that day, and went home and went to bed after I voted.

Q. You say when you carried around the mayor's proclamation, when the colored people asked you if you thought they would be safe, you thought they might be?—A. Yes, sir.

Q. You didn't assure them they would be?—A. No, sir.

Q. Well, was not that calculated to scare them, although the mayor

assured the people that they would be safe?—A. He didn't say so in his circular.

Q. Then he was in doubt himself?—A. Yes, sir.

Q. He was very doubtful about it?—A. I don't know; I won't say as to that.

Q. You did say he was.—A. Well, I take that back; of course I can't know his thoughts; I only say what I know is true.

Q. Do you think any colored man would have been hindered if he had voted that day?—A. No, sir; the majority of colored people had left there; wasn't anybody left to vote.

Q. Where had they gone?—A. Oh, they commenced leaving Saturday night.

Q. Went away off in the country, had they?—A. Yes; left Danville.

Q. Couldn't they get back?—A. They couldn't get back at election.

Q. How far had they gone?—A. I don't know.

Q. You don't know how far any of them went, do you?—A. Yes, I know.

Q. Did you go with them?—A. Only as I heard from them.

Q. But that is hearsay; you don't know anything about it but what you heard of it?—A. That's all.

Q. Did you see that one woman that was shot?—A. I did not.

Q. Did you know of any woman that was shot?—A. I did not know of any woman that was shot. Of course there was some several wounded that I didn't find out; little flesh wounds; I saw one man that said he was shot in the pants, or something of that kind. There was only four men that died from their wounds that I know about; three killed on the ground, and one died afterwards.

By Mr. LAPHAM:

Q. Do you know who made the complaint against the policemen for bearing arms?—A. I think it was the magistrate was the first man. They taken him in there on his oath.

Q. You mean he was the first called before the grand jury?—A. Yes; he was called before the grand jury.

Q. Do you know who started it?—A. I don't.

Q. You say they were never prosecuted?—A. No, the policemen were not.

Q. When were they discontinued, before or after the election?—A. Since the election.

Q. Those indictments were kept over the police from the time they were found until the election?—A. Yes, sir.

R. E. BISHOP sworn and examined:

Question. Where do you reside?—Answer. A little north of North Danville; just out of the line of the corporation of North Danville.

Q. How long have you lived there?—A. At that place?

Q. Yes; or about there.—A. There and about there two years and a little upwards.

Q. What is your business?—A. Painter.

Q. House or portrait painter?—A. House and sign painter.

Q. Where were you on the 3d of November last?—A. I was in Mr. William Grassfoot's shoe-making establishment, on the north side of Main street, above H. D. Garrant's grocery store.

Q. How far is that from the junction of Main and Market streets?—A. It is about—well, I cannot come at it exactly—possibly 150 feet may be.

Q. On which side of Main street?—A. The north side of Main street.

Q. Were you engaged at work there?—A. No, sir; I was there in conversation with a gentleman.

Q. At what time?—A. I cannot state exactly; it was possibly between 2 and 3.

Q. Well, you were there before the firing commenced?—A. Yes, sir.

Q. All you observed was from a window of the room in which you were?—A. Yes, sir.

Q. Was any one there with you?—A. Mr. Grassfoot; no one except him and me.

Q. Did you have the window open?—A. The window was not open at the time; I don't think it was raised at the time.

Q. Were you where you could see the scene of this disturbance plainly?—A. We could not see all of it with the window down.

Q. State, if you please, to the committee, what you did see from the time your attention was first directed to it until its close.—A. We heard the cry of murder.

Q. That is what first attracted your attention?—A. Yes, sir. Mr. Grassfoot thought it was fire, but it was murder. It continued I don't know how often, and we threw up the sash to see what was going on. He was beneath me. He was a shoemaker, and I got on his bench to look over. There was an awning that cut off part of the observation, a little of it coming this way, in this direction. [Illustrating.] I saw a white man—I knew none of the parties then, and, in fact, not now—who was beating a negro over the head, appeared to have him by the collar at least, and he appeared to be helpless. He was crying out murder. Another party standing with a pistol in his hand, I could see his shoulders down to about there—[indicating]—the awning cut off part of the observation in that direction, he had a pistol motioning in this way. There were not many whites, I cannot say how many, at that time, not more than three or four or five, possibly not that; some negroes in the street, maybe twice as many or three times as many. One of the colored policeman came up. Both of them are very dark; I don't know what their names were, and he gesticulated, raised his hands as if trying to stop the disturbance. I was too far to understand what he said, and just then, as near as I can come at it, another negro from the crowd or with the crowd came in. I could not hear what was said; I could not understand a word that was said. He came in and appeared to grab for the pistol, or with the man that had the pistol, and how that went on I cannot say, but the negro got loose and attempted to run, break off, and stooped at the time, and a hand was raised and fired without effect, I suppose; I could not see.

Q. Well, fired in the direction he was running?—A. Yes, sir. After the firing of the pistol the crowd appeared to close in a little; both were gaining accessions. The negroes came up from the market and the whites from a little below, down the street. I cannot say to what number; have no idea. I closed the sash down, and in a very short time, I cannot say how long, possibly not more than two minutes, or maybe not more than three—I have no idea of the time—we heard the volley. I then looked through the glass without raising the sash; stood somewhat in the middle of the room, and I raised and looked in the glass and saw them fleeing in all directions. The streets were cleared very soon.

Q. Who were fleeing?—A. The negroes. The crowd was then pretty well mixed up on the pavement. Some ran in the street and pointed

their pistols. I do not recollect of seeing a shot fired after I raised. I noticed them pointed in different directions.

Q. Were there any colored people around at that time, after you raised the window the second time?—A. They were fleeing as I raised. Then we pushed the sash up. It was too much of a *melée* below us, and we were looking down on the tops of their heads, so that I couldn't tell; and parties went up the street with pistols in their hands, the whites.

Q. Did you hear anything said?—A. No, sir; that is, whatever was said I could not understand it.

Q. Now, from whom did these shots come; you said there was a volley fired?—A. Of course that would be very difficult for me to say. I did not see it. I was not looking down at them when they fired.

Q. You noticed that the colored people disbanded, dispersed immediately on the firing?—A. Immediately.

Q. Did they reappear at all?—A. No, sir.

Q. But the whites did remain there?—A. Yes, sir.

Q. Did you see them with pistols after the colored people had fled?—A. Yes sir.

Q. Did you see any arms in the hands of the colored people?—A. No, sir.

Q. What was the character of the gathering there of colored people; you said they seemed to gather in when this disturbance began?—

A. I suppose the cry of murder brought them to the scene.

Q. Yes, but what description of people gathered together there; were they of different ages and sexes?—A. I don't know as to the sexes; different ages, of course. In that part of the country an excitement of that kind, any kind of a fight—a dog fight, gathers them right off, each one looking over the others shoulders to see what was going on, I suppose.

Q. The question is whether there were men, women, and children there?—A. I didn't see any women there; they were out of my observation; they might have been in the crowd.

Q. You could not see over the outskirts of the crowd then?—A. No, sir.

Q. Did you see pistols in the hands of anybody except the white men?—A. No, sir.

Q. Do you know where the white men stood in line formed on the street?—A. I cannot say.

Q. Did you hear any threats on the part of the colored people towards the whites?—A. At the time?

Q. Yes.—A. No, sir.

By Mr. VANCE:

Q. You say you were at Garrant's, in the second story?—A. Yes, sir; in the second story above Garrant's.

Q. That is on the same side of the street as Woolfolk & Blair's office?—A. Yes, sir.

Q. And the awnings were, of course, over the sidewalk between you and Woolfolk & Blair's, were they not?—A. There was one awning that cut off a little of my observation.

Q. Was there only one awning up at that time?—A. I don't know, but I am speaking of the one that was nearest the action.

Q. Were there any other awnings between you?—A. Possibly there may have been, but I am not sure of it.

Q. Was there any awning right over Woolfolk & Blair's office?—A. No, sir.

Q. In front of their store, where the crowd was?—A. No, sir.

Q. The colored people were then mostly between you and the white people, were they not?—A. No, sir; the colored people were in the street.

Q. Were not some of them on the sidewalk?—A. I cannot tell that. There was one awning that cut off part of that. I cannot tell.

Q. You say you knew none of the parties then?—A. No, sir.

Q. You say a colored man run up and got hold of a pistol in the hand of a white man?—A. I don't know that he took hold of the pistol; he came up and attempted it; there was a scuffle.

Q. Came up to him, and either took hold of him or a pistol; at any rate there was a scuffle?—A. There was a scuffle.

Q. Did they get down in the scuffle?—A. I cannot say.

Q. Do you know when the pistol fired whether the party that fired it was down or standing up?—A. Standing.

Q. Do you know whether he directed that pistol at anybody or whether it went off in the scuffle?—A. My impression was that this pistol was fired at this very party.

Q. At this man that tried to take it from the man?—A. Yes, sir; the pistol was almost on a line with my eye from the window.

Q. How far was the colored man from the white man when the pistol fired?—A. He had hardly moved three steps, in a stooping position; very much so [Indicating.]

Q. How long was it after that pistol fired until the general volley was fired?—A. It would be hard to say. It was possibly three minutes, may be more.

Q. During that interval the crowd closed up?—A. I noticed that the crowd was closing a little from both directions.

Q. Drawing together?—A. Coming on the scene, at least. I know nothing about the separation. They came up. I took my seat then beyond observation.

Q. You saw no women in the crowd at all?—A. No, sir; I am satisfied of that. Well, it would be hard to tell, but I saw none. That is, my observation extended mostly in the street.

Q. You say that you had retired from the window after the first row was apparently over, and then when the firing began again you hoisted the window again and looked out?—A. I raised and looked through the glass.

Q. Then the colored people were retreating?—A. They were retreating when I raised. The volleys followed in quick succession. I raised then and looked through the glass, and they were fleeing in every direction.

Q. Did you hear after the main bulk of the firing was over any single shots by themselves?—A. There were some scattering shots.

Q. Some scattering shots?—A. Yes, sir.

Q. Now, excluding the first discharge of the single pistol, from the first of the general firing to the last shot, how long would you take it to be, to your best judgment?—A. To the last shot?

Q. Yes.—A. Altogether it would not have been more than five minutes, I suppose, as near as I can say.

Q. Was it so long as the pause between the first firing and the general firing?—A. The pause between the first firing and the general firing?

Q. Yes, between the single pistol shot and the general firing.—A. No, sir, it didn't last as long as that.

Q. Were you at the polls on election day to vote?—A. Yes, sir.

Q. Were there any colored people there voting?—A. Not that I know

of. I was at the polls only about two minutes, just time to cast my vote.

Q. You voted and immediately retired?—A. Yes, sir; I know nothing of what occurred there.

Q. Where did you vote?—A. New Design.

Q. I thought you lived in North Danville.—A. No, sir; a little outside.

Q. You were not at the polls in Danville then at all?—A. No, sir; I was not there that day.

Q. From what you saw at New Design, could the colored people have voted there without molestation if they wanted to?—A. I passed the polls early in the morning, and didn't go back until late in the evening, when I voted, and was there possibly only two minutes then; deposited my ballot, and everything appeared to be quiet, as far as I could see.

PETER SMITH sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. Ten years.

Q. What is your age?—A. Thirty-five.

Q. Are you a married or single man?—A. A single man.

Q. What is your business?—A. I work in the tobacco factory.

Q. In Danville?—A. Yes, sir.

Q. Where were you on the 3d of November last?—A. I was about ten steps of where the riot commenced.

Q. You were not at work that day then?—A. No, sir.

Q. Which side of the street were you on?—A. On the right-hand side.

Q. Is that the north or the south side?—A. The north.

Q. You saw this fight commence, then?—A. Yes, sir.

Q. Now, go on and give your account of it just as you witnessed it.—
A. I came on down the street, and this fellow, Lawson, came right along behind me. Me and him had been talking up on the corner, and he came along down behind me, and I was walking, and I got about ten steps below Mr. Woolfolk and Blair's office, and I heard somebody holler murder, and I turned around to look and seed Mr. Noel whaling him; knocking him over the head with his hand; I think he was knocking him with his hand; there was two or three men between him and me, and after that the pistol fired, and then I turned my back and walked on down towards the corner; then, if I make no mistake, Mr. Hatcher says, "If you are not all cowards, you will come out."

Q. Who said that?—A. Mr. Hatcher says, "If you are not all cowards you will come out," and they got out and formed a little line, I reckon in the ranks of about twelve men, and he said, "Ready," and I saw the men, two of them, draw their pistols, and when they drawed their pistols out I turned my back to them and walked off down the street.

Q. Did he say anything else?—A. Then he gave the word "Fire;" and then I walked on down to the corner and staid there.

Q. At the first firing how many pistols fired?—A. About twenty-five or thirty.

Q. Were they fired into the crowd of colored people?—A. I had my back to them; I could not say.

Q. You could not tell which way they fired then?—A. No, sir.

Q. Did you see any one attempt to separate Noel and Lawson?—A. No, sir; not at all.

Q. Do you know Charles Adams?—A. Yes, sir.

Q. After this firing did you see Charles Adams there?—A. I saw Charles Adams when he came out of the door to catch his horses.

Q. When was that; was it after the firing?—A. It was directly after the general firing, and Mr. Graves was coming on down the street towards me. I was standing on the corner, and just before he got to the corner I moved off down a little further on the next corner, and when he got around the corner he says, "Look out, I am going to shoot" And Charles Adams says, "Don't shoot me; I just run out to catch my horses;" and he fired and shot Charles in the arm, and then I turned in and run up a pair of steps into a room.

Q. Who was it that fired at Charles Adams?—A. Mr. Graves.

Q. Colonel Graves, you mean?—A. Yes, sir.

Q. The same gentleman who was a witness here this morning?—A. Yes, sir.

Q. You saw him shoot at Adams, did you?—A. Yes, sir; I saw him shoot towards Adams; don't know whether he was shooting at Adams or not; but he hit Adams.

Q. What do you say Adams said at the same time?—A. Adams said, "Mr. Graves, don't shoot me; I just came out to catch my horses."

Q. Where did Adams go?—A. He went back into the bar-room. He was going backwards when he got shot.

Q. Backing into the door?—A. Yes, sir.

Q. Where did Graves go?—A. Mr. Graves, after he shot the last time, turned and went back up on Main street, and when he turned and got two steps, I was up in my safety—I was in a window then.

Q. He didn't go to the assistance of Adams at all?—A. No, sir.

Q. He turned and went back up the street?—A. Yes, sir.

Q. Did you know Colonel Graves well before?—A. Yes, sir.

Q. How long had you known him?—A. I have been knowing him ever since the first year after the surrender.

Q. Since 1865. This was in the day-time?—A. Yes, sir.

Q. You knew it was he, did you?—A. Yes, sir.

Q. Did you hear him say anything?—A. I only know that he shot the last time down that alley, and Mr. Adams was running—Charles's brother; he says, "Leave here," that is all he says.

Q. Is that the policeman?—A. Yes, sir.

Q. You heard him say that to the policeman?—A. He said, "Leave here." Adams was running then, and then Jeff. Hubbard, who is here now, he was running down the street.

Q. When the order to "fire" was given what did the colored people do?—A. The colored people run.

Q. All in one direction or in different directions?—A. No, sir; in two directions; they could not run but in two directions.

Q. Which way did they run?—A. They run down Main street and through the market and up Main street.

Q. Well, they ran in all directions they could run?—A. Yes, sir.

Q. They scattered?—A. Yes, sir.

Q. What description of crowd was there of colored people?—A. I reckon a hundred or more colored people in the street.

Q. Were they all men, or men, women, and children?—A. Men, women, and children, all mixed up together.

Q. Such as would naturally gather when there was a disturbance?—A. Yes, sir.

Q. You happened to be there on the walk when this thing commenced?—A. Yes, sir.

Q. You had no expectation of any such thing, had you?—A. No, sir; was not thinking of such a thing.

Q. You didn't know that there was any such thing to take place?—A. No, sir.

Q. You had no arms?—A. No, sir.

Q. Did you see any colored men with arms?—A. Not a one.

Q. Did you hear any shooting from the colored people?—A. Not a shot.

Q. As soon as the word "fire" was given and the volley was fired they scattered and fled?—A. Yes, sir.

Q. Did the white people continue firing at them as they ran away?—A. No, sir; they held up then for a few moments, and I was upstairs in a room. I heard some shots, but I don't know where they were at; they were out of my sight.

Q. Do you know whether Charles Adams had a pair of horses there?—A. Yes, sir; I knew he had a pair of horses, because I looked out of the window at them as they were going down the street.

Q. He was a beer peddler, wasn't he?—A. Yes, sir.

Q. And had gone in there on that business?—A. Yes, sir.

Q. He took no part in this affray, did he?—A. No, sir; none whatever.

Q. And was not present at it?—A. No, sir.

Q. Didn't go out of the shop until after it was over, did he?—A. Didn't go out until, I think it was, Mr. Nicholas told him his horses had started.

Q. Well, not until after the colored people had fled?—A. No, sir.

Q. Was there anybody else there who could have shot Charles Adams except Colonel Graves?—A. No, sir. A man on the corner had a pistol, but had it in his bosom; didn't have his hand on it at all.

Q. But you saw Graves point his pistol in the direction of Adams and fire?—A. Yes, sir.

Q. As he was backing in the door?—A. Yes, sir.

Q. Did you hear what Adams said as he was backing in the door?—A. He says, "Captain, don't shoot me, I just came out to catch my horses."

Q. Do you know whether he repeated that?—A. I never heard him repeat it at all.

Q. Did you vote?—A. No, sir; I didn't.

Q. Where was your polling place?—A. At Mr. Graves' warehouse.

Q. At one of the precincts of the city?—A. Yes, sir.

Q. Had you registered?—A. Yes, sir.

Q. You intended to vote?—A. Yes, sir.

Q. Why didn't you vote?—A. I was afeared.

Q. Well, that was the case with the colored people generally?—A. Yes, sir.

Q. Very few voted, didn't they?—A. If any voted I didn't see them.

Q. You heard of or saw the mayor's proclamation, didn't you?—A. The which?

Q. The proclamation of the mayor. You heard of that didn't you?—A. No, sir.

Q. Did any one direct or instruct you not to vote?—A. No, sir; no one at all.

Q. You refrained from going to the election because you were afraid to vote?—A. Yes, sir.

Q. And for no other reason?—A. For no other reason at all.

Q. There was no understanding that the colored people should not

vote that you knew of?—A. I didn't know what the understanding was; but this I knew, that after this shooting scrape I didn't know what would take place at the polls.

Q. Well, it was because of this riot on Saturday that you staid away?—A. Yes, sir.

Q. How many years had you voted?—A. I have been voting ever since the surrender.

Q. Ever since you were twenty-one?—A. Yes, sir.

By Mr. VANCE:

Q. Where were you born and raised?—A. Up on Horse Pasture, in Virginia.

Q. What county?—A. Henry.

Q. When did you come to Danville to live?—A. I came to Danville to live about ten years ago; ten years ago this last gone August.

Q. How far is it from your home, where you were born and raised, to Danville?—A. Fifty-one miles.

Q. Did you ever see Mr. Graves before you came to Danville to live?—A. Yes, sir.

Q. Whereabouts?—A. I seen him up to Mr. Wilson's plantation and up at Patrick.

Q. How often?—A. I seen him three or four times come up to hunt with Mr. Wilson.

Q. Is that since the war?—A. Yes, sir.

Q. You knew him very well, didn't you?—A. Yes, sir.

Q. Where had you been working in Danville at that time?—A. At Mr. Fuller's factory.

Q. Were you not at work that day?—A. No, sir.

Q. Why?—A. The factories had closed on that day.

Q. All of them?—A. Yes, sir.

Q. They had all closed that day and there were none of them at work?—A. No, sir.

Q. How close were you to the parties when the fist fight began between Lawson and Noel?—A. About 10 yards.

Q. Ten yards away; how many white men were there then?—A. I don't know; I couldn't say.

Q. Well, give us an idea.—A. There was a hundred or more there.

Q. A hundred or more white men there then?—A. Yes, sir.

Q. When the fist fight first began?—A. When the fist fight first began there was not more than fifty there.

Q. When did the other fifty come up?—A. They come up shortly after that, just before they fired.

Q. How many colored people were present when the fist fight began?—A. How many was present? There was not very many then; there was not very many colored people around at that first shot.

Q. Well, how many? You have told us there were fifty white people present, now you can give us an idea how many colored people.—A. About the same number of colored people.

Q. About the same?—A. Yes, sir; children and men.

Q. Any women?—A. Yes, sir.

Q. And the women were foremost in the fight, were they?—A. No, sir; they were not foremost; they were standing sort of back of the men.

Q. Well, what part in the fight did they take?—A. Not any at all.

Q. What part did the children take?—A. Not any at all.

Q. Were they in the front, too?—A. Yes, sir; they were all standing there looking.

Q. The children were in the front?—A. No, sir; they were not in the front; they were all mixed up together.

Q. Was there any rear to the crowd at all?—A. Yes, sir.

Q. Who was in the rear, the men, the women, or the children?—A. The women, as I before stated it.

Q. The children were there, too, in the front?—A. The children all amongst the men, between the men and the women.

Q. The women brought up the rear, and then the children were mixed in with the men?—A. Yes, sir.

Q. And there were not more than fifty?—A. No, sir.

Q. Now, by the time the general firing began, how many colored people had come up?—A. Two hundred, I reckon, or one hundred and fifty.

Q. How many whites do you think were there?—A. I couldn't tell you.

Q. Well, a hundred?—A. Yes, sir; over a hundred.

Q. Over a hundred; where did they come from?—A. They come out of the opera house.

Q. They all came out of the opera house, and came up before any firing took place?—A. Yes, sir.

Q. Did they all have weapons?—A. I don't know whether they had or not. I didn't see them. When they passed by me, coming up the street, I didn't see them.

Q. Were you between the crowd and the opera house?—A. Yes, sir.

Q. And you didn't see them when they passed by you, coming up the street?—A. I saw them when they passed by me, but I didn't see any arms till they got there. After they got there I saw them.

Q. How many of them displayed arms after they got up where the fuss was?—A. About twelve men. Them that was in that line was the only ones I saw with arms.

Q. What was it that Mr. Hatcher said?—A. He said, "If you all are not common cowards, you will come out."

Q. Who came out?—A. I don't know who they was.

Q. Was he talking to the white or black?—A. He was talking to the white people.

Q. To come out of where?—A. To come out of the office of Blair & Woolfolk's.

Q. And they did come out and form a little line?—A. Yes, sir; about twelve men.

Q. Was it up and down the sidewalk?—A. Yes, sir.

Q. Facing the street?—A. Yes, sir.

Q. They had their pistols out?—A. When he said "Ready" they drew their pistols out.

Q. Didn't they draw them before?—A. No, sir.

Q. Now, before this, did you see anybody in there trying to make peace and get the crowd to disperse?—A. No, sir.

Q. Didn't see Mr. Freeman?—A. No, sir; didn't see Mr. Freeman. Couldn't see Mr. Freeman at all; too big a crowd.

Q. Did you see Robert Withers?—A. No, sir.

Q. Did you see Adams?—A. No, sir.

Q. Did you see Peter Booth or Jeff. Corbin?—A. No, sir.

Q. Didn't see any of them?—A. No, sir.

Q. Didn't you see any of them trying to make peace and get the crowd to disperse?—A. No, sir.

Q. You saw Mr. Hatcher and heard all he said?—A. Yes, sir.

Q. How far were you from him when he spoke?—A. About 10 yards.
Q. Were you in the crowd or on the sidewalk?—A. On the sidewalk.
Q. You were on the sidewalk among the white folks. You didn't feel in much danger, did you?—A. No, sir; I was not scared.

Q. Did you have any weapons?—A. No, sir.

Q. Did any of the colored people have any weapons?—A. If they had I don't know anything about it.

Q. Well, you saw how Mr. Holland was shot, didn't you?—A. No, sir; I didn't see him shot at all.

Q. Didn't see that at all?—A. No, sir.

Q. Did you see that butcher, Mr. Seward, shot?—A. No, sir.

Q. Didn't see how he was shot?—A. No, sir.

Q. How long after the general firing took place over there before the colored people ran?—A. They ran right away when they drew their pistols out and the men was getting ready; they commenced running then.

Q. They didn't wait for the pistols to fire?—A. No, sir.

Q. Were they all gone by the time the pistols fired?—A. No, sir; they all could not get gone, there was too big a crowd.

Q. They all tried to go?—A. Yes, sir.

Q. How long after that until you saw Mr. Graves run his muck down the street?—A. About three minutes.

Q. Where was he when the first firing took place?—A. He was between me and where the men was. He was about five steps between me and them.

Q. What store were you opposite?—A. Mr. Vass's hardware store.

Q. Is that nearer the corner than Mr. Hesseberg's store?—A. No, sir.

Q. Where is it from Hesseberg's?—A. It is above.

Q. Two doors above, is it not?—A. Yes, sir.

Q. The next after Hesseberg's is who?—A. There is a door that goes upstairs.

Q. And barber-shop?—A. Yes, sir; then the barber-shop. First Hesseberg's and then the barber shop.

Q. And then Vass's, &c.?—A. Yes, sir.

Q. You were standing at Vass's and he was standing about five steps from you?—A. Yes, sir.

Q. Was that the first time you saw Captain Graves?—A. Yes, sir.

Q. What did you see him do? Go over that again.—A. I never saw him do anything right then.

Q. Did he have pistols?—A. I never saw his pistol then.

Q. Did you see him shoot at anybody?—A. I didn't see him shoot until he shot at Charles Adams.

Q. Well, that is what I am after; which way did Charles Adams come from?—A. He came out of the side door of Mr. Nicholas's bar-room.

Q. And went out in the street?—A. Yes, sir.

Q. And Mr. Graves turned and called to him to look out, he was going to shoot?—A. Yes, sir.

Q. What did he say to Captain Graves?—A. He says, "Captain, don't shoot me; I just came out to catch my horses." The captain says, "Get back in the house;" and he started to get back and held up his hand, and he fired on him.

Q. Fired on him when he was obeying his orders?—A. Yes, sir.

Q. Well, in your first story you left that out; you did not tell that Captain Graves first told him to get back in the house.—A. If I am not mistaken I did.

Q. No, you did not. You say now, do you, that he did tell him to get back in the house?—A. Yes, sir.

Q. That he first called to "Lookout, I am going to shoot?"—A. Yes, sir.

Q. Was there anybody near Captain Graves at the same time that had a pistol?—A. Mr. Blunt was near and had a pistol, but it was in his bosom.

Q. How do you know that?—A. I saw it.

Q. He didn't have it out?—A. No, sir.

Q. Did you say anything to Mr. Conrad?—A. No, sir.

Q. On the sidewalk?—A. No, sir.

Q. Was there any other man near Charles Adams, running?—A. No, sir. His brother was below him, and Jeff. Hubbard was below him, running.

Q. You turned your back on the crowd as soon as the firing began and walked off?—A. Yes, sir.

Q. Did you stop or walk straight off?—A. I walked down to the corner beyond where Mr. Graves came and stopped.

Q. Where is that?—A. That is on the corner of Mr. White & Averett's shoe store.

Q. That is across Market street, is it not?—A. Yes, sir.

Q. Then how did you get back up the street?—A. I didn't go back up the street at all in an hour.

Q. Were not you back up there when you saw Mr. Graves?—A. No, sir.

Q. Why, you said Mr. Graves was about 5 feet from you when he shot?—A. Well, that was before he came down to that corner.

Q. When was that that you saw Mr. Graves?—A. Before the general shooting taken place.

Q. And after the fighting began you walked off below the corner and never came back at all?—A. No, sir.

Q. Until after it was all over?—A. No, sir.

Q. Where did you see Mr. Graves shoot from; where were you when you saw him shoot?—A. Standing on the corner.

Q. On the corner of Averett's shoe store?—A. Yes, sir; and after he shot the first time I turned and run up the steps, and when he shot again I was looking out of the window.

Q. Where was Mr. Graves standing when he did that shooting?—A. He was standing about two steps from the corner of the store, sort of in the street.

Q. What store?—A. Hesseberg's bar-room.

Q. There is where he was standing and you were standing on the other corner?—A. Yes, sir.

Q. Now, where was Charles Adams when he was shot?—A. He was backing back into the door.

Q. What door?—A. Hesseberg & Nicholas's door.

Q. Then he was backing right towards the man that shot him?—A. No, sir; he was not; he backing inside the door and Mr. Graves was standing up on the corner.

Q. You said Mr. Graves was two steps from the door?—A. He was two steps from the corner of the store I said.

Q. How far was he from the door; he was very close to him, was he not?—A. He was a little further than from here to you.

Q. And he was backing in when he shot him?—A. Yes, sir.

Q. How far below at that time was Bob Adams?—A. He was about 25 yards, sir, I reckon.

Q. He was across Market, was he not?—A. No, sir; he was going from Market.

Q. Going up toward Woollfolk & Blair's?—A. No, sir; going from the market he was going from Main street.

Q. Into what street?—A. Into Spring street; he was going towards Spring street.

Q. He was going down Market street?—A. Yes, sir.

Q. Towards Spring street?—A. Yes, sir.

Q. How far down Market was he?—A. About 25 yards.

Q. Twenty-five yards down Market?—A. Yes, sir.

Q. That is, when the pistol fired at Charles?—A. No, sir; Charles had done gone back in the house then.

Q. Did Mr. Graves do any more firing after Charles got in the house?—A. He shot one time.

Q. What did he shoot at?—A. He shot right down that alley—right down Market street.

Q. Then he came to the corner, did not he?—A. He was already on the corner—about two steps from the corner when he shot Charles.

Q. You said the corner of the store, which corner do you mean; do you mean next to the market or up the other way?—A. Next to the market.

Q. Then, if Charles was back in the door, and he was standing passing across Main street, Charles was on his right hand and Bob was running down the alley on his left?—A. Bob was running right straight in front of him and Charles was right straight in front of him.

Q. Well, Bob was on Main street then?—A. Bob was on Market street.

Q. How could both men be in front of a man and one run down one street and the other down the other street?—A. Both of them were on the same street.

Q. How could Bob be backing into the store door?

By Mr. LAPHAM:

Q. Not the store door, the side door; he was backing into the side door that opens on Market street?—A. Yes, sir; backing into the side door that opens on the side, and Bob, he was running down Market street.

Q. Well, the side door opens on Market street?—A. Yes, sir.

By Mr. VANCE:

Q. What door of the store was it that Charles was backing into?—A. In the side door of Mr. Hesseberg & Nicholas's bar-room.

Q. Not in the front door?—A. No, sir; the front door fronts Main street.

Q. Were you in Mr. Hesseberg's store that day?—A. No, sir.

Q. You did not know who was in there at the time of the firing?—A. No, sir.

Q. At the time Charles Adams speaks of?—A. No, sir.

Q. You told us something about Nicholas telling Charles to come and take his horses. Did you hear that?—A. I could hear him but I could not see him.

Q. Where were you?—A. I was standing on the corner.

Q. On which corner?—A. On the corner of Mr. Everett & White's shoe store.

Q. That was the width of the street between your corner and his door?—A. Yes, sir.

Q. And you could hear him in his store telling Charles to go and get his horses?—A. Yes, sir; the street is not more than 10 yards wide.

By Mr. LAPHAM:

Q. Were you called before the committee of forty that investigated this riot?—A. No, sir.

Q. You were not a witness there?—A. No, sir.

Q. Were you before the grand jury?—A. No, sir.

WILLIAM E. GRAVES recalled.

By Mr. VANCE:

Question. Did you see this witness (Peter Smith) at any time in Patrick County?—Answer. I never was in Patrick County in my life, and I never have been at Mr. Wilson's plantation in Patrick County.

Q. You never were there?—A. No, sir.

Q. Do you recollect the first time you ever saw this witness?—A. No, sir; I don't remember him.

Q. You do not know him?—A. No, sir; I have no doubt I have seen him, but I do not know him by name, and do not recognize him now.

By Mr. LAPHAM:

Q. You have no doubt he knew you, have you?—A. I do not know, as far as that is concerned. He certainly never saw me in the county of Patrick, for I never have been there.

JEFF. HUBBARD sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived there?—A. Ever since the surrender.

Q. By the surrender you mean the surrender of the Confederate armies to the Union armies?—A. Yes, sir; ever since the surrender of Lee.

Q. Where did you live before that?—A. Mr. Hubbard raised me, in Pittsylvania County, near the upper edge of the Franklin line.

Q. Were you a slave?—A. Yes, sir; all we were slaves.

Q. What is your business in Danville, and what has it been since that time?—A. Working in the factory.

Q. Tobacco factory?—A. Yes, sir.

Q. Where were you on the 3d of November last?—A. Well, I was on Market street and on Main street part of the time; when the riot commenced I was on Market street.

Q. Were the hands at work that day?—A. Some of them was at work and some of them was not.

Q. How was it in the factory where you work?—A. The factory where I work was not working that day. I wasn't working that day, and had not been for some time.

Q. Where were you when the disturbance first began?—A. When the disturbance first commenced I was at the lower end of the market.

Q. Where did you go then?—A. Then I was around on the street they call Patten street, on the lower end of the market, and just as I came around the corner of the market square what struck my attention to the riot was a woman that came out, I think, the second door from the corner, and screamed out, and said "Lord a mercy! don't you hear the people shooting up yonder?" and I saw people rushing up towards Main street. I hurried on myself to see what was the matter. When I got there the people were coming from all directions; both white and black was gathered; women and children was gathered, and I walked

up there, and there was such a crowd, and somebody was hallooing like somebody was choking; I got down and tried to peep at what they was doing, but could not understand what they was doing, and this time I saw Mr. Lea waving his pistol jus so [indicating] and say, "No man can touch," and I was astonished to see a man going on so. I didn't see Mr. Noel at all, but I saw Robert Adams and Robert Withers running around there. He was on police that day; Adams was on the police that day, but Withers wasn't, and one says, "Walter, why don't you try to stop these men;" he stopped and said, "I am not on to day, Robert; don't you go there, you will getshot just as sure you go there," and this time some of them parted them. I don't know who it was that parted them, and that sort of scattered the people then for ten or fifteen minutes, I will say ten minutes, and the people kept coming. This time the people from the opera house came up the street, and they appeared to get in a line on the sidewalk there from Mr. Woolfolk & Blair's office, and there was a white gentleman standing in the door with a double-barrel gun, and Mr. Hatcher; I saw him have a pistol in his pocket, and attempt to pull it out two or three times. He attempted to pull his pistol out, and put it back; presently he run his hand down in his coat pocket, and say, "God damn you, all go off." Nobody said nothing. He said, "You all better leave here;" and presently he stepped back on the sidewalk, and as he did so, somebody said "Fire," and I wont say certain who it was, but somebody said "Fire;" I think it was Lea, but I wont say certain, but somebody said "Fire," and they fired.

Q. How many pistols were fired at first?—A. At that shooting?

Q. No; at the first time when the command to "Fire" was given, how many pistols were fired at first?—A. As near as my recollection, from the county and all the people I saw there, I saw about three hundred people.

Q. You don't answer my question—A. I will if I understand it.

Q. You heard the order to "Fire" given?—A. Yes, sir.

Q. How many pistols were fired at once at first?—A. You mean at the first shot?

Q. Yes; how many pistols fired?—A. I say about three hundred pistols went off at once, just like taking three or four packs of squibs and throwing them out on the street.

Q. They kept firing in succession?—A. Yes, sir; I saw they was in earnest.

Q. Did you state whether they filled the air with smoke?—A. No, sir; I don't know which way they filled the air; I didn't take time to see which way they filled the air, but I didn't think they could get up nerve to shoot among people like that.

Q. Who was doing that shooting?—A. I saw Mr. George Lea shoot, I saw Mr. John Lea shoot, I saw Mr. Ned Hatcher shoot, and I saw Mr. Graves shoot, but I didn't see Mr. Graves there shoot.

Q. At whom did they shoot?—A. They shot right at the crowd; just shot right out in front at the crowd.

Q. The crowd of colored people?—A. Yes, sir; out in the street.

Q. What did the colored people do then?—A. They wheeled and ran just like I did; I was looking out for myself.

Q. Was the firing continued as they ran?—A. Yes; they commenced and hollered, "Heah! heah! heah! Kill'em! kill'em! kill'em!" That was the way they hollered all the time.

Q. Did you ever hear that yell during the war?—A. No, sir; I was not in the war, no more than at the breastworks.

Q. Do you know who it was yelling in that way?—A. No, sir; I don't know who it was; the whole crowd hollered.

Q. A good many of them?—A. Yes, sir; the whole crowd appeared to be hollering.

Q. In that way you describe?—A. Yes, sir; hollered "Kill 'em! kill 'em! kill 'em!" and I saw they meant business, and I believed they was going to shoot and aimed to kill, and I looked out for myself.

Q. Where did you go?—A. I ran by Mr. Nicholas & Hesseberg's bar-room, in the alley, betwixt Mr. Hesseberg's bar-room and the shoe store.

Q. On Market street?—A. No, sir; on the left-hand side. Well, it is Market street, too. The market is on the right-hand side, and I run down on the left-hand side of the street and run through that alley.

Q. That was an alley leading out of Market street?—A. Yes, sir; to old Mr. Holland's factory. I run out about Mr. Nicholas' bar-room, and the other crowd was pretty much before me; I was about the hindmost.

Q. Did the colored people go back at all?—A. No, sir; the colored people didn't go back there.

Q. In which direction did they run?—A. In every direction, men, women, and children—men, women, and children, and all just running over one another.

Q. Can you state whether the firing continued as they were running?—A. I don't know. When I run out there—as I started to tell you—when I run out to Mr. Nicholas' bar-house—I reckon it is about 50 yards——

Q. Did you see anything more of Colonel Graves?—A. Yes, sir. There is the first time I saw Mr. Graves. When I got out there Mr. Graves come right down by the corner of the bar-room and shot at me. He was shooting right at the crowd. I was the hindmost one, and I hadn't done nothing to nobody. I stopped to look around and see whether he was coming or not, and saw Mr. Graves standing right at the corner of the shoe store, and say, "Clare yourself! clare yourself! We'll kill the last one of you!" I stood there and heard the bullets whistle by my head, three or four. I stood there, and presently this alley was piled up with men; and this time I saw so many men that I ran out from there. I watched them and saw them all go way from there, and I thought the danger was through, and happened to think about my boy and Squire Taliaferro. I says, "I know if they see Squire Taliaferro this evening, they will kill him dead;" and I thought about my boy nearly grown. I goes across the market hunting for my boy. When I goes back on the street, across about the middle way—well, I didn't get middle way—I saw a man laying there dead on the street. While I was standing over that man looking at him, I saw Mr. Ned Hatcher, and Mr. Covington, and Mr. Cabell come along up the market, and they got Jack Redd down there some how or another; I don't know how they got him down; and this time the fire-bell rung, and the men just marched—it looked like they came from about every direction—with double-barrel shot-guns. I don't know where they did come from, they come so fast, with double-barrel shot-guns. Then I went on down through the market, and Mr. Woods, who was down there, advised all the colored people to go off the street; he said he couldn't do anything with them. I took him at his word and went on, and went to Mr. Swan's old factory, and I found my boy and staid there; and while I was over there I heard shots up about the Arlington, and heard hollering up there, the same way when they shot, up about the Arlington.

Q. Do you know Charles Adams?—A. Yes, sir.

Q. Did you see him?—A. I don't recollect seeing Charles Adams.

Q. Where was this man shot? You stood over a man that was shot; how was he shot?—A. He was shot in the head.

Q. Whereabouts; in the face or back of the head?—A. He was shot in about here. [Indicating side of the head.]

Q. Was he dead?—A. Yes, sir; he was dead when I saw him; lying there dead.

Q. What was done with him?—A. I don't know; I left him lying there; I got on away from there as quick as I could.

Q. How old are you?—A. I am about fifty-two.

Q. You have a family?—A. Yes, sir.

Q. Were you before the committee of forty, or before the grand jury?—A. Yes; I was before the grand jury.

Q. Did you vote?—A. No, sir; I didn't vote.

Q. Why not?—A. Well, I was afeard to go to the polls.

Q. Had you registered?—A. Yes, sir.

Q. Had you intended to vote?—A. I was intending to vote; that was my aim.

Q. How many years have you been accustomed to vote?—A. I have been ever since I had the privilege to vote, never missed an election, and wouldn't have missed that if I hadn't been afeard.

Q. Was there any understanding among the colored people that they should not vote?—A. No, sir; never heard a word of it at all.

Q. Was there any understanding among the colored people that there would be any violence there that day; any disturbance?—A. No, sir; not that I know.

Q. Did you see any colored man with arms?—A. Not a one. I never saw a colored man have a pistol.

Q. You were not armed?—A. No, sir; I had no pistol.

Q. Had you heard of indictments against the police for carrying arms?—A. Oh, yes; I heard that.

Q. You understood that anybody that carried arms would be liable to indictment, did you?—A. Yes, sir; and that morning before that row commenced I knew that row was going to be, but I didn't think it was going to be in that way; and the way I found it out I was standing on the street with two other colored men, and I saw a gentleman coming down the street with a pair of saddle-bags on his arm, and he says to Elijah Cousins, being he was a friend to him, he says—I didn't hear the man when he told him, he beckoned to him, and he stepped aside and spoke to him. When he turned back to us we asked him what he said, and I heard him say this—

By Mr. VANCE:

Q. Give us what you heard the man say.—A. He says, "I am going out of town; I ain't going to have nothing at all to do with it," but this man says he told him to go and get—

Mr. VANCE and Mr. LAPHAM. Never mind that.

Mr. LAPHAM. Where was your wife living at the time of this occurrence?—A. Living at Mr. Holland's, she's living there now. Mr. Holland driv me away, though.

Q. When?—A. Last Wednesday night a fortnight ago.

Q. For what?—A. Just because I wouldn't sell my privilege to him.

Q. Did he say anything about your being a witness here?—A. Yes, he talked to me about my being a witness and said he saw my name in a letter where I had signed.

Q. He has discharged you, leaving your wife to live there?—A. He driv me away; told me I had better leave his house; it would be good for me to leave his house, and not only that, his advice was for me to leave the town. He said, Mr. Cabell had captured a letter and my name was in it, and if I didn't believe him he could prove it by Captain Clark and Mr. Conrad, and said not only my name but several other colored men's names was in that letter, and as soon as they determined what they would do about that letter my advice is for you to leave this town, and it makes no odds where you go for you to keep yourself close of nights, that's what he told me, and I tried to get him to tell me where he got that letter. He said never mind; Mr. Cabell had got it.

Q. Had you ever had anything to do with such a letter?—A. Never had since I was born; never had nothing to do with a letter.

Q. Do you write?—A. No, sir.

Q. You can't read?—A. No, sir.

Q. Nor read writing?—A. No, sir.

Q. You know nothing about the letter except what he said?—A. No; he cussed me out and driv me off. My wife is now there; I told her she could stay as long as he wanted. Thereason I didn't take my wife away to work is because work is scarce in Danville, and I told her to stay a little while longer. As soon as I can make arrangements to take her away, I will take her away; I was anxious to come away, but I told her I thought it would be as well for her to stay there. He said I should not stay in town, let alone stay in his house.

Q. Did you see Captain Graves fire any shots?—A. I saw Captain Graves fire down an alley there.

Q. Around Market street?—A. No; round that alley where I run—that let out from the Market street; that's the first time I saw him.

Q. What did he have?—A. He had a pistol in his hand.

Q. How many white men did you see with pistols?—A. About three hundred, I reckon. There was more than that. It was an understood thing. I saw children have pistols.

Q. They gathered with pistols and guns both?—A. Yes, sir; I saw them toting guns up street. I was on the street all day that day, and some of them had two or three in their hands when I arrived that morning.

Q. Did you see pistols there that morning?—A. No, sir; if anybody had pistols they had them concealed.

By Mr. VANCE:

Q. When was it you saw them carrying those pistols and shotguns up and down street?—A. Saturday morning.

Q. Who did you see carrying them up?—A. I saw several white men have them—one in each arm. I expected at the time that these people were going hunting.

Q. Where were they going?—A. They were going up street with them.

Q. Up the street which way?—A. Up the street above me where I was standing.

Q. Did you know any of the men?—A. No, sir; I don't recollect any of the men.

Q. You don't know where they live?—A. Oh, yes; they live there in town; they were citizens.

Q. Do you know whether they were going toward their homes or not?—A. They were going up street with them.

Q. That you said ; but where were they going ; to their homes ?—A. I don't know.

Q. Toward the opera house ?—A. They were going above the opera house.

Q. Toward the Arlington Hotel ?—A. Yes ; toward the Arlington.

Q. Did any of them live that way ?—A. I don't know whether they did or not.

Q. You saw some with two shot-guns, did you ?—A. I saw some with one in each hand.

Q. Were they going to kill negroes or going to hang them ?—A. I suppose they were going to kill negroes.

Q. It's a common thing among the people to kill negroes ?—A. Every time it is an election it's a common thing to kill negroes.

Q. Can you name any election where any of them have been killed ?—A. If they don't kill them they threatens them.

Q. It don't take much to scare you all to death ?—A. It takes a good deal to scare us if they come at us right.

Q. Were you afraid to go up and vote that day ?—A. Yes ; I was.

Q. Why were you afraid ? Did anybody threaten to hurt you if you went up to vote ?—A. That Saturday evening was enough to frighten anybody.

Q. Didn't the mayor issue his proclamation that you should all vote ?—A. The mayor himself was scared, let alone us.

Q. Didn't he issue a proclamation that you should all vote in safety ?—A. I was not paying attention to what the mayor said to them.

Q. Didn't he issue a proclamation that you should all vote in safety ?—A. I don't know whether he did or not.

Q. Didn't you hear he did ?—A. I saw some bills going around, but I couldn't read ; I don't know what they was.

Q. Some persons read them and told them what was in them ?—A. I heard some of them say what was in them, but I didn't know whether the mayor done it or not.

Q. And didn't all the leading citizens of all sorts assure the colored people that they could vote without molestation ?—A. I know all that was very true, but that action Saturday evening done for me.

Q. You thought they were going to kill the negroes. Now, did you really think so, or did you just put up that poor, pitiful pretense ?—A. The action showed it.

Q. Nobody threatened to shoot you on the day of election, did they ?—A. Yes, sir ; they said they were going to carry ; if they didn't carry it by ballots, by bullets.

Q. Who said that ?—A. That was the talk.

Q. Who talked it ?—A. There was several of them said it.

Q. Say one.—A. Well, I couldn't call any.

Q. No. I didn't expect you could call one.—A. But it was said.

Q. Did anybody say it of any reliability, any authority ?—A. Well, they said it ; I don't know whether reliability or not.

Q. Do you think you are fit for suffrage when you are so cowardly you won't go to the polls, and everybody begging you to go, and assuring you of safety ?—A. When a man is shot at like we were all shot at—

Q. The white people have been shot at time and again and yet they go and vote. Why can't you do it ?—A. I understand about it ; I aint a going there to be a target to be shot at.

Q. Did anybody threaten to shoot at you ?—A. Just what I said just now, that Saturday evening was enough.

Q. How long would it last you; will it keep you away from the next election?—A. I aint got over it yet.

Q. You are not going to vote next fall, are you?—A. I expect to yet, if I see some light; I have got to see some light though.

Q. What sort of light?—A. A better light than I have.

Q. You want United States troops, don't you?—A. I don't know nothing about that; I aint got nothing to do with that.

Q. Where were you when you first heard this firing on the street; when the woman first called your attention to it?—A. At the lower end of the market.

Q. How far from Woolfolk & Blair's?—A. I reckon it is about 100 yards clear through the market. I was at the lower end of the market.

Q. Well, you walked on up then after you heard the firing, did you?—A. Yes, sir.

Q. What did you first see when you got up there?—A. As I said a little bit ago I saw the people gathering there, and I walked up trying to see what was the excitement, and when I got up there I could hear, but somebody, it seemed, was choking that way [indicating] and I got down between the legs to see what was going on and see what was the matter; there was two men fighting, but I never did see. Presently the bulk of that crowd—before that though, Mr. Lea, I saw him have his pistol in his hand. That's the first pistol I saw. He says, "God damn, no man touch; no man touch." I staid there then. I never said a word more than I spoke to Robert Adams, "Robert, don't you go, you will get hurt;" and Robert's brother said, "Don't you go up, you will get shot," and I said, "Yes, you will get shot sure." I stepped back, then these men formed a line, looked like it was an understood thing; all got along the sidewalk.

Q. How many of them?—A. I say there was about three hundred people all gathered round there.

Q. How many white people?—A. That's what I'm talking about; it looked like three hundred.

Q. You saw three hundred whites?—A. Yes, sir; and they kept coming.

Q. Let us get it point by point; you say there were three hundred?—A. They kept coming, I say.

Q. How many were there when they didn't keep coming?—A. When I first got there I reckon there was some forty or fifty, when I first got there, but I say after that first scrimmage and the second act was about five or ten minutes before the shooting commenced and the people kept coming there.

Q. Now, hold on; how many white people were there in line?—A. I think about three hundred.

Q. About three hundred?—A. Yes, if not more than that.

Q. You think there were more than that?—A. Three hundred anyhow, or more.

Q. Yes, where did they come from?—A. All over the town everywhere.

Q. Any of them from the opera house?—A. Yes, sir; I saw them come from the opera house.

Q. How many?—A. A crowd; they were a whole meeting.

Q. The whole meeting came down?—A. Yes, sir.

Q. All had arms?—A. I saw them pull them out of their pockets.

Q. Did you see as many as three hundred with arms in their hands?—A. Yes, if you had been there and saw them you would have said there would have been more than that.

Q. May be I wouldn't have been as badly scared as you?—A. May be you wouldn't; we didn't have no arms; they had all the arms.

Q. Do you know the colored people had no arms?—A. I know I didn't have any.

Q. Well, suppose you speak for yourself; you don't know whether they had them.—A. I don't believe they had.

Q. Well, speak for yourself.—A. I didn't have any.

Q. You don't know the other colored people did not; you don't know whether they had any?—A. If they had them they didn't show them.

Q. Didn't show them to anybody?—A. Yes, sir; I swear that nobody didn't see any colored men with a pistol there that evening.

Q. Then you know more about it than men who have been there.—A. I will swear to what I saw and no more.

Q. Well, they were on oath, too?—A. I swear they didn't see them.

Q. You swear that they didn't; you swear no colored man was in that crowd there with a pistol?—A. I say I didn't see none.

Q. Well, when you get back there you are getting just reasonable. Did you see anybody trying to keep the peace?—A. I didn't see anybody trying to keep the peace, but, as I told you, Robert Adams was saying something about going up to stop the fight, and his brother told him he had better not go up there.

Q. You have told that.—A. I didn't see anybody else.

Q. You didn't see Mr. Freeman?—A. No, sir; it was such a crowd by that time you couldn't tell hardly who you did see.

Q. Well, you swore there was no arms in the hands of the colored people?—A. I didn't see no arms in the hands of the colored people. If the colored people had any arms they never would have run like they did. The colored people run, and they were running after them and shooting, and hollering.

Q. Answer another question now. You saw nobody, you say, trying to keep the peace; did you see Mr. Booth; do you know him?—A. I know him.

Q. Did you see him at all?—A. I don't recollect seeing him.

Q. Did you see Mr. Freeman?—A. I don't recollect seeing him.

Q. Did you see Mr. Corbin?—A. I don't recollect seeing him.

Q. Mr. Oliver?—A. I saw Mr. Oliver when I first got up there.

Q. What was he doing?—A. I don't know.

Q. Did you hear him making any talk to the people, asking them to disperse?—A. No, sir; I saw Mr. Oliver when I first got to the crowd.

Q. Did you hear any colored man say anything?—A. No, sir; I didn't hear any colored man in the crowd say a word, except this man Adams, any more than his brother spoke to him and told him he had better not go up there.

Q. Which brother?—A. Henry.

Q. Now, that was all the word you heard spoken in the crowd by the colored people?—A. That was all I heard spoke.

Q. They just stood there without saying a word, and the white men on the street with their pistols threatened to kill them, and they did nothing and said nothing?—A. Why, they had nothing to do, nothing to say.

Q. Well, they did say nothing?—A. That's what I said.

Q. Now you stand to that?—A. That's what I said.

Q. And Hatcher pulled out his pistol and said, "Damn you people, what do you want; what are you doing here?"—A. Nobody ever answered him when he said that; no colored people ever answered him.

Q. And then the crowd commenced yelling, Heah, heah, heah; kill'em, kill'em, kill'em?—A. Yes.

Q. No colored people said a word?—A. No, sir.

Q. Now, you have told me how many white people there were on the sidewalk; how many colored people were there?—A. To tell you the truth, women and children—right to where that shooting commenced is generally where the women and children come down Saturday evening.

Q. I don't care what generally; what was there then?—A. That's what am telling you now. May be there may have been 200 of colored men, and women, and children, all in the street; and the white men generally had the possession of the sidewalk. I was out in the street myself.

Q. You say there were two hundred or more colored people?—A. Yes; but there was women and children.

Q. The biggest part of them were women, were they not? Was there more women than children and men?—A. I couldn't say.

Q. Well, there were more women and children than men, wasn't there?—A. Yes, sir.

Q. There wasn't more than twenty-five or thirty colored men there, was there?—A. I couldn't say that; I know there was more white people than there was colored men.

Q. The white people were in a large majority, and armed at that?—A. Yes, sir.

Q. Now, you told Senator Lapham that you knew there was going to be a fight, but you didn't think it was going to come that way; what made you know there was going to be a fight, aside from this man that you met?—A. I started to tell you.

Q. Well, you said you heard a man there and he called for a man you were with, and had a talk with him; what was that man's name?—A. Mr. Wimbush Young.

Q. Where does he live?—A. Danville.

Q. How did you expect it to come?—A. I don't understand you; what to come?

Q. Oh, yes, you did. You understand, you know I asked how you expected it to come?—A. You asked how you expected to come. You mean me to come?

Q. You understood very well what my question was.—A. How did I expect the fight to come; I didn't know; I didn't know they was going to have any fighting at all.

Q. You told Senator Lapham you expected that fight to come, but not that way.—A. I said that morning, and you cut me off when I tried to tell it.

Q. You said you expected it to come.—A. I said that morning; I said I didn't expect it to come that way. Mr. Sims was that morning speaking at the court-house; that they was trying to raise a mob there at the court-house; they was expecting a fuss over there; that next morning; they were going to mob Mr. Sims when they come out that morning. Well, I was down town on the street Saturday morning, myself, Wilson, and a man by the name of "Lige" Cousins; we were standing on the street talking and this Wimbush Young beckoned to Lige to come up to him and he went to him and I reckon he stepped off about ten steps, and he said Lige—I didn't hear him tell Lige—

Q. That's what we want you to tell.—A. That's what I say; will you let me tell it now? It was so near—I didn't hear—but I heard him say to him going off, "I ain't going to have nothing to do with it."

Q. In consequence of what you heard there—A. I expected there was going to be a fuss among the white people, but I didn't believe that

anybody could get up the nerve to go to shooting that way unless they done something to them, that's what I thought. I didn't think a man could go in cold blood and shoot at men that way; that's what I meant.

Q. You didn't expect it to come that way; did you expect it to come in some way, in an attack on Mr. Sims?—A. Yes; but then after Mr. Sims went out of town and didn't say nothing at all I felt the thing was over; I just thought it was done with.

Q. Was it generally understood among the colored people that Mr. Sims would be attacked?—A. I believe it was generally understood that there would be an attack when he came down that morning, and that's what I thought.

Q. Was that the reason so many colored people were on the street that day?—A. Well, the colored people wasn't doing anything.

Q. Now, you heard my question. I ask you if that was the reason so many colored people were on the street?—A. I don't know; there are colored people on the street every day. I don't say they were on the street with that intention, but they were on the street every day when they were not doing anything.

Q. I will ask you if it was not understood that Mr. Sims was to be attacked, and the colored people were on the watch out?—A. I didn't understand that.

Q. Didn't they intend to stand up for Mr. Sims if he was attacked?—A. I don't know. I just thought if Mr. Sims would be attacked it would be a white men's fight, and I had nothing to do with it.

Q. You didn't think Mr. Sims was going to fight the whole town of Danville?—A. I don't know anything about that; I know if the white men fought—Mr. Sims was attacked—it was none of my business.

Q. Why wouldn't it be, you a friend?—A. A friend, but I know one thing, a white man is a white man, and I wasn't going to have nothing at all to do with it.

Q. You say there was no understanding that colored people were on the watch to protect Mr. Sims?—A. No, sir; I don't know nothing about it.

Q. But you did hear it talked around that that was expected?—A. I heard it talked round that they would attack him. I was standing there, and Mr. Sims come down and went into the barber-shop and shaved and come out and got in his buggy.

Q. How do you know?—A. I was right there.

Q. You were in, then, all the morning, were you?—A. I was down on the street.

Q. Just looking around. How many colored people were standing around when Mr. Sims came out of the hotel?—A. Oh, there was a whole parcel of them; he wasn't in no hotel.

Q. From his room?—A. From his room.

*Q. Were there many others about?—A. A sight of them, colored and white people, too, on the street.

Q. You saw Mr. Graves shoot, did you?—A. Yes, sir; he shot at me.

Q. And you say you heard three or four bullets pass over your head?—A. I did.

Q. From Mr. Graves's pistol?—A. Yes; Mr. Graves's pistol; Mr. Graves shot, and I heard the bullets whistle by my head.

Q. Well, he shot Charles Adams?—A. I didn't see him shoot Charles Adams.

Q. But he shot twice at Robert Adams and four times at you?—A. I

don't know how many times he shot at Robert Adams or Charles Adams, but I know he shot a great long while.

Q. Where were you?—A. I was standing at Mr. Nicholas's bar-house.

Q. Where was he standing?—A. He was standing right against the corner; the corner of Mr. Nicholas's bar-room.

Q. On Main street or Market street?—A. He was standing on Main street.

Q. And where were you standing?—A. I was standing out near the bar-house.

Q. Isn't that the same place?—A. No, sir.

Q. Where is the bar-house?—A. Back of the bar-room.

Q. On Market street?—A. Yes, sir.

Q. And he stood on Main street?—A. He stood on Main street.

Q. And fired down Market street?—A. No, sir; the alley that leads out of Market street.

Q. It is a continuation of Market street, isn't it?—A. It leads into Market street.

Q. How far were you from him when he fired the pistol?—A. I reckon I was about 50 yards.

Q. Was Robert Adams between you and him?—A. I didn't see him.

Q. Was Charles Adams between you and him?—A. I didn't see Charles Adams at all.

Q. How long after the firing up there on Main street, until he fired, had you been here in Market street?—A. How long?

Q. Yes.—A. Well, it was about two or three minutes.

Q. Two or three minutes?—A. Yes, sir; when I run the people all stood there. When they commenced shooting the people commenced running, and then they commenced running after the people and shooting at them, and I run down to the alley there and run round the bar-room up towards that bar-house. I looked back and thought I was out of the way, and I saw Captain Graves with his pistol. He says, "Clear yourself! I kill the last one of you! Leave this town!" He shot three or four times.

Q. Who was with you?—A. There was lots of people the other side of me, but I was the nearest one to Graves.

Q. No more on the same street?—A. Plenty of them, women and children.

Q. He shot four times at you?—A. I won't say positively, I say three or four times. This time, in two or three minutes, men rushed in that alley, and he hollered, "Heah! heah! heah! Kill 'em! kill 'em! kill 'em!"

Q. Did you hear anything about Charles Adams getting shot?—A. No, sir; I don't know anything at all about Charles Adams.

Q. You don't know whether he was shot before or after?—A. No, sir; I didn't know anything at all about it, until that night, when I heard some one say Charles Adams was shot. I didn't know anything at all about it.

Q. Where did you go from there? Speaking about your son, you went over to the factory, didn't you?—A. I went down to the lower end of the market, and just as I got down to the lower end of the market the fire-bell commenced to ring. When the fire-bell commenced ringing the men then coming run with their shot-guns in every direction, and I staid there two or three minutes, and Mr. Woods was talking to some gents. He said, "You must stop it; go put these guns down."

Q. Where was Mr. Woods then?—A. He was at the lower end of

market. And Mr. Woods says to the colored people, "You all better come on off the street." "Yes," I says, "I will go off the street." He says, "I can't do nothing with them; you all better come off the street."

Q. Where did you go then?—A. I went over to the factory which they call Mr. Sutherland's factory.

Q. Where is that?—A. I forget the name of the street, but at any rate it goes right south from the market.

Q. Is it not Union street?—A. No, sir; it leads towards Wilson street.

Q. How far was that from the scene of the firing on Main street?—A. You couldn't see Main street.

Q. How far was it from where the firing had taken place?—A. On Main street? Well, it was 150 yards, I reckon.

Q. Who works in that factory?—A. Mr. Debber.

Q. Now, that is more than 150 yards, is it not?—A. It may be.

Q. Isn't it a quarter of a mile—Woolfolk & Blair's office on Main street?—A. No, sir; it may be 150 or 200 yards, something like that. It aint no quarter of a mile. There is where I found my boy anyhow, and there I staid.

Q. How long did you stay there?—A. Until dark.

Q. How long after you got there until you heard this firing down on Main street?—A. Two or three minutes I heard something firing up at the Arlington and some hollering.

Q. You heard shooting and hollering at the Arlington—many shots?—A. I didn't hear them shoot but twice.

Q. The streets lead off at right angles in the city of Danville, don't they—some this way and some that way [indicating]. Now, coming up from Main street to the lower end of the market, how many cross-streets did you cross going up to that factory?—A. Why, I crossed the street they call Patten street, going up to that factory, where I went to hunt my boy.

Q. Did you cross any other street?—A. I crossed Patten street, and that is the only street I crossed.

Q. The factory is on the next street after you cross Patten?—A. The factory is on the corner. I don't know what the name of that street is.

Q. Didn't you cross a street called Loyal?—A. Maybe that is the name of the street; I don't know the name of the street.

Q. Is the factory close there?—A. Yes; right in the corner of that street. It leads out from the market as you go up from Patten street, going towards Wilson street. I don't know what the name of the street is, though; I can't recollect.

Q. Mr. Holland discharged you, did he?—A. Yes, sir.

Q. When?—A. Last Wednesday night was a fortnight ago.

Q. By fortnight you mean two weeks; last Wednesday night was two weeks ago?—A. Yes, sir.

Q. What did he say he discharged you for?—A. He got to cussing of me; said I was attending the meetings last fall, and speaking one thing and another, a whole parcel; he was cussing me.

Q. Was part of it about your being a witness here?—A. He cussed me about running to the custom-house, toting news there; said I was toting news to the custom-house; tattler; I told him I hadn't been to no custom-house.

Q. Was anything said about your being a witness here?—A. No; he didn't know I was going to be a witness then, I guess; I don't know.

Q. You said something in your other examination about being a witness here. Senator Lapham asked you if he said anything about your

being a witness here, and you said yes, according to my recollection of the testimony.—A. No, sir; I didn't.

Mr. LAPHAM. I think you are mistaken, Senator; it was in regard to his discharge and the reason for it.

Mr. VANCE. Was there nothing said about his being a witness?

Mr. LAPHAM. No, sir; he said Mr. Cabell had captured a letter, and and saw his name on it with several other colored men.

By Mr. VANCE:

Q. What was in the letter?—A. I don't know; he wouldn't tell; I asked him five or six times, and he said they hadn't determined yet what they were going to do about that letter. He says, "As soon as we determine about what to do with that letter my advice to you is to leave this town; you and all others whose names is on that letter, and it makes no odds where you get at, you better keep yourself close at nights."

Q. That is what he told you?—A. Yes, sir.

Q. And he cursed you?—A. Yes, sir; told me I could stay there that night, but he didn't want to see me no more in my life.

Q. Mr. Holland's son was shot down that night, wasn't he?—A. That wasn't his son, that was Kit Holland's son.

Q. His nephew?—A. Yes, sir.

Mr. LAPHAM (to Mr. Vance.) The day of the riot I suppose you meant. The day as you say, would mean the day he was dismissed.

Mr. VANCE. Well, I didn't mean that. I meant the day of the riot.

Q. Where do you live now?—A. With Mr. Robinson, in Danville.

Q. When were you first summoned to come here?—A. Last Saturday evening.

By Mr. LAPHAM:

Q. When did you first hear that this riot was to be investigated here; that it was to be a subject of inquiry here by a committee of Congress?—A. I believe it was about a fortnight ago Friday.

Q. Was it before or after Mr. Holland had this talk with you?—A. It was after it.

Q. You had not heard of this, then?—A. I hadn't heard a word of it.

Q. You don't know what the letter he mentioned referred to?—A. No, sir; he wouldn't tell me what it referred to.

Q. You don't know whether it was before or after the resolution was offered in Congress?—A. No, sir; I don't know nothing at all about it; I told him I had never authorized nobody to sign my name to any letter.

WILLIAM POWELL sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. About 2½ miles from Danville, I think.

Q. Where were you on the afternoon of this disturbance?—A. I was over this end of the bridge. I didn't know anything about it.

Q. By "this end of the bridge," you mean which side of the river?—A. The North Danville side.

Q. You were on the north side of the river?—A. Yes, sir.

Q. Is Sophia Powell, who was a witness here, your wife?—A. Yes, sir.

Q. Was she in the city?—A. Yes, sir.

Q. When did you first see her after the disturbance, or where?—A.

When I first saw her after the disturbance I came across this side of the river; I heard popping across the street, and I made the remark it was mighty soon in the year to be firing squibs, and I stood talking to a gentleman and after awhile I saw the people running down the street, and asked a gentleman what was the matter; they said they were fighting there, and I went up there to see where she was.

Q. Who did you see running down the street?—A. White and colored.

Q. What description of people?—A. Men, women, and children were coming down the street.

Q. And you went to see where your wife was?—A. Yes, sir.

Q. Where did you find her?—A. I found her coming down the street near Mr. Tyack's shoe store, I think.

Q. Did you hear the guns?—A. I heard the pistols; I understood them to be pistols. I thought they were firing crackers at first, and that is the reason I said it was mighty soon to be firing crackers.

Q. It sounded like fire-crackers, did it; the shots were so frequent?—A. Yes, sir.

Q. How many should you judge?—A. I was at the lower end of the the bridge.

Q. Where did you and your wife go from there?—A. I went and got my wife to carry her home—out of town.

Q. Where was your home?—A. About 2½ miles from Danville.

Q. Did you stay there?—A. No, sir; I didn't stay there that night.

Q. Why not?—A. Well, I was afraid to stay at home.

Q. Why?—A. After they had been shooting and killing the folks over in town.

Q. Was there any disturbance over on your side of the river?—A. There was no disturbance over on my side of the river; none at all.

Q. No firing of pistols or guns there?—A. I didn't hear any only in the night; way in the night. I had left home; could hear shooting; looked like through the country and around about, but didn't know where they were.

Q. How far did you go from your residence to stay that night?—A. I went about three-quarters of a mile, I reckon.

Q. To whose house?—A. To Edmund Keeling's house.

Q. You heard guns from there, you say?—A. Yes, sir.

Q. What time in the night?—A. All along through the night; could hear shooting in some direction all along through the night. I didn't sleep but very little that night.

Q. You went there to stay because you were afraid to stay at your own house?—A. Yes, sir.

Q. Did your wife go with you?—A. Yes, sir.

Q. Did you go to election?—A. No, sir; I didn't.

Q. Had you registered?—A. Yes, sir.

Q. You intended to vote?—A. Yes, sir.

Q. Why didn't you vote?—A. Why, I was afeard to vote.

Q. Where was your voting place?—A. New Design precinct.

Q. If it hadn't been for this disturbance you would have voted, wouldn't you?—A. If it hadn't been for the disturbance, and I thought there was some danger of being killed, I would have voted. I always did vote there.

Q. How many years since you first voted?—A. When I first voted it was directly after the surrender.

Q. How old are you?—A. I think I am going on forty years old.

Q. Did you hear anything more of this affair between that night and

the election?—A. Well, sir; it was a continual thing through the neighborhood all around. You could hear firing all around the neighborhood.

Q. Up to the day of the election?—A. Yes, sir.

Q. Did you hear any of it after the election?—A. No, sir; don't hear no reports now like you did before that.

Q. Did it stop after the election?—A. After the election was over you couldn't hear that report every night.

Q. When did you go back home?—A. I went back the next morning.

Q. Sunday morning?—A. Yes, sir.

Q. And remained at home?—A. Yes, sir.

By Mr. VANCE:

Q. You got a good scare, Powell, didn't you?—A. A right good one.

Q. Although you were not at the fight?—A. No, sir; I wasn't at the fight.

Q. Just heard the guns?—A. Heard the guns.

Q. And you took to your heels and went home, two miles and a half from town, across the river?—A. Yes, sir.

Q. And was afraid to sleep in your own house that night?—A. Yes, sir.

Q. And you went three-quarters of a mile further on to stay with a neighbor?—A. Yes, sir.

Q. And you heard guns all night?—A. Yes, sir.

Q. And you heard them plumb up to the day of election?—A. Off and on.

Q. Do you know who fired those guns that Saturday night?—A. I don't know.

Q. What direction were they fired?—A. They were firing all around. I thought, "good gracious alive, hear the firing of the guns; I reckon they have gone to fighting again."

Q. You couldn't hear guns two miles and a half from you?—A. Oh, yes, you can.

Q. Hear a common pistol two miles and a half?—A. No, but you can hear a gun. I can stand at my place and hear them driving nails in timber.

Q. You don't know whether this firing was by colored people or not?—A. I don't know.

Q. You didn't inquire?—A. No, sir.

Q. You didn't take trouble to inform yourself, did you?—A. No, sir.

Q. What kind of a place do you live at in the country, a farm or little town?—A. Farms all around us, but then there is little villages. Colored people live there on their own places.

Q. Whose land?—A. On their own, most of them.

Q. Did you live on yours?—A. Yes, sir.

Q. Whereabouts is it; what is the name of it?—A. It is out there in front of J. D. Marland's.

Q. How many colored people are there in the little village?—A. I don't know.

Q. What is the name of the man whose house you went to?—A. Edmund Keeling.

Q. Whereabouts is that?—A. That's down the road towards Keen's mills.

Q. Is that nearer the town than where you live?—A. Yes, sir.

Q. So you went nearer the town?—A. Yes, sir; because I went in the house with somebody else.

Q. Whose land does he live on?—A. James Marland's.

Q. Was that a farm house or little village?—A. Some five or six houses.

Q. The firing kept on way to the election, you say?—A. It was a general thing.

Q. Sunday night?—A. It was a general thing.

Q. Didn't you try to find out who was doing all this firing?—A. I didn't have no finding out to do; I didn't know who was doing the firing. You wouldn't have me give my opinion, would you?

Q. I ask you if you tried to inform yourself.—A. I was pretty certain in my own opinion; I may be wrong; I was pretty certain it was the white people.

Q. You think it was this Danville crowd of ruffians?—A. I don't know about their being ruffians.

Q. Well, these same people that were in the riot?—A. It was all through the country; the Danville party done their part, and the country people done their part.

Q. Were there a good many white people around there?—A. There is several; all around through the neighborhood there were white people.

Q. What white people live around there?—A. There is Mr. Coleman I know; he lives on a little further from me, and very close to the town North Danville; white people all around there, and on the turnpike there is white people living there.

Q. How close was Mr. Coleman's to the house you staid at all night?—A. Mr. Coleman's is about a mile from where I staid all night. Mr. Lambert is right there in front of the place that I live at.

By Mr. LAPHAM:

Q. No one advised you not to go and vote, did they?—A. No, sir.

Q. You staid away because you were afraid to vote?—A. I staid away because I was afeared.

WASHINGTON, D. C., *February 20, 1884.*

Mr. VANCE. Before we proceed I would like to ask a question of Captain Graves. He was asked yesterday if he ever bought and sold negroes, and he said he had; and it seems to be stated in the papers that he is a regular old-fashioned negro trader.

W. P. GRAVES recalled.

By Mr. VANCE:

Question. Will you state if you were what was known as a slave-dealer?—Answer. I was not.

Q. You owned slaves, and sometimes bought and sometimes sold one?—A. I owned some, and if I found one that didn't suit me I sometimes sold him. I sold a few, and I bought a few others to supply their places.

Q. Did you ever buy and sell for profit, as they say?—A. No, sir.

Q. You never did?—A. No, sir.

By Mr. LAPHAM:

Q. How many did you ever buy and sell?—A. I think I sold some three or four, perhaps, and I bought, perhaps, three or four.

Q. How many did you ever own?—A. About twenty. I mean I owned about twenty at one time.

Q. In all how many different persons did you own?—A. I suppose some twenty-four or twenty five.

Q. Were they males or females?—A. Both sexes.

Q. Married or unmarried?—A. Both.

Q. Did you know of these indictments against the police and others for carrying arms?—A. I have frequently heard of indictments.

Q. Any of these indictments found in October, a month or so before the election?—A. I don't remember particularly about that, but there is very seldom a grand jury without some indictments being found for carrying concealed weapons.

Q. Have you any doubt that you knew of those indictments?—A. I think probably I knew it.

Q. And still you carried arms?—A. Yes, sir.

W. H. BARKSDALE sworn and examined.

By the CHAIRMAN :

Question. Where do you live?—A. Answer. In Danville.

Q. How long have you lived there?—A. Thirty-three years.

Q. You are a clergyman, are you not—a preacher?—A. Yes, sir.

Q. Were you on the streets of Danville on the 3d of November last, when what is called the riot occurred?—A. Yes, sir.

Q. I wish you would state in your own way what you saw and heard from the beginning to the end of that matter.—A. I was on the corner of Mr. P. R. Jones' drug-store.

Q. Where is that?—A. That is in Danville, on Market street. I was right on the corner of the store that fronts Market street.

Q. Market and Main?—A. I will tell you about Main, that fronts Market street, and I know some one said, "Murder," and I stepped around the corner on Main street, right at his door, and I looked towards Mr. Woolfolk & Blair's office and I saw a great many folks gathering there, both men, women, and children, and the white people were standing on the sidewalk; and I saw Bob Adams, a police, rushing up in the crowd to try to separate some one that was fighting. I didn't go up in the crowd, but staid right opposite them in the door, looking. I asked who was that that was fighting, and they said it was Mr. Noel and Hense Lawson. I saw some men flourishing pistols and saying, "Stand back! no one touch."

Q. What kind of men?—A. White men on the sidewalk.

Q. How many men?—A. Well, it seemed to be three or four pistols that I saw.

Q. Can you name them?—A. No, sir; I cannot name them. I didn't go up in the crowd; I didn't want fighting, and I never get struck if I stand off and look; and shortly after I saw Bob Adams trying to separate them. Walter Withers came up and the pistol went off; I don't know who fired the pistol, but I think about three minutes—probably two minutes, as near as I can come at it—some one say, "Shoot! shoot!" distinctly twice. That was on the right hand of the colored folks, on the sidewalk, between J. A. Nicolas' bar-room and Mr. Woolfolk & Blair's door on Main street.

Q. Did that cry come from the whites or blacks?—A. It seemed that it come from the whites.

Q. You don't know who spoke it?—A. No; I don't know what man. There was right smart noise, and I couldn't catch his voice. And from that they sort of struck a bias line across the street, and commenced shooting the first volley of pistols; I don't know how many there were,

but they seemed to be across the street. I opened the door of Mr. Jones' drug store and stepped inside, and looked out the window to look, and presently they got down to the corner of the market. Then I fell back in the rear of the store from the window.

Q. Did the whites advance then?—A. Yes, sir.

Q. They were advancing toward the market?—A. Yes, sir. When they fired the first volley of pistols the men, women, and boys commenced running, and they were following them up, shooting as they run. Well, they got down to the market square, to the corner of where you turn down to the market on your right, and I fell back in the rear and staid there until the shooting was over.

Q. You saw the whites advance. Was there any resistance on the part of the colored people?—A. There was not. I stood and looked across and I saw them gathering, and saw the pistols flourishing. I didn't know what was the result of it at all. I found that it was Hense Lawson and Mr. Noel that was fighting.

Q. What kind of a crowd was this that they fired into?—A. They were women, boys, and men.

Q. Were any of them armed?—A. No, sir; I didn't see any of them armed.

Q. Were you where you could see if they were armed?—A. I was.

Q. Did you see anybody among the colored people holding up or pointing a pistol?—A. I did not, sir.

Q. Did you see any sticks or staves or weapons of any kind?—A. I didn't see any of them pointing a pistol—pointing a pistol, gun, knife, stick, nor nothing.

Q. What kind of a crowd was it? Were the people apparently collected for a purpose, or gathering just by the excitement of the moment to see a fight?—A. On a Saturday, in Danville, after 12 o'clock, the people is gathered from the country and everywhere, trading until about 6 o'clock in the afternoon, and when there is a fight or any music, or anything occurring on the street, boys and women and all gather up, stand and look at the fight, or anything of the sort. That was why, I suppose; they heard the cry of "murder." Most everybody runs when they hear the cry of "murder," to see.

Q. Was there anything in the crowd to indicate a purpose to resist, or to have a fight, or anything of that kind?—A. I didn't see any.

Q. Were there noises? Did you hear any cries?—A. No, sir.

Q. Did you hear any conversation—loud talk—among the colored people?—A. No, sir; I didn't. They seemed to be standing, looking on. I didn't hear them making any threats or any loud noise.

Q. You are a man of peace, a clergyman, as you tell us. Was there any danger to the white people there, around as they were, from that crowd of colored people?—A. I don't think there was, sir—honest.

Q. You don't think there was any?—A. No, sir; we had no idea; I was among them, and know white and colored, and I never heard any threats from the colored or any disposition made to attack the white folks on any account.

Q. You would certainly have known if there was any such purpose?—A. I would. If I hear any one talking that way I just tell them peace—for the Scripture say let us have harmony.

Q. You said nothing that was inconsistent with that idea of yours?—A. I did not.

Q. Did you see Mr. Holland shot?—A. I did not.

Q. Were you called before the grand jury?—A. I was.

Q. Were you examined there?—A. Before the grand jury; yes, sir.

Q. Were you called before the committee of forty?—A. I was not.

Q. Did you have any conversation with Mr. Boulden?—A. I did.

Q. About this matter?—A. Yes, sir.

Q. When was that conversation?—A. I think that was just before the committee of forty met.

Q. Was Mr. Boulden a member of the committee of forty?—A. I don't remember. He sent for me to come to his office. I went up and saw him to have a talk about this.

Q. Was you sent for, or inquired of, in regard to what testimony you would give before the committee of forty?—A. No, sir; I was not.

Q. Were you inquired of by Mr. Boulden as to what your testimony would be?—A. No. He knew me; sent for me; knew I was a man that would tell the truth, and he sent for me, and was talking about the shooting; just what I knew about it, and I have told him all.

Q. Was that before the committee met?—A. I think it was.

Q. What did he say then?—A. Well, he didn't say anything; stopped talking and gave me one of his papers, and I came out of the office.

Q. Did he say anything that he did not want your testimony or that you were all on one side, or something of that kind?—A. He said, "Well, you have it all on your side, and none on no one else's." I told him no; I was only speaking what I saw and knew; not what some one told me or I heard some one say. I told Mr. Boulden I saw it.

Q. Did he say anything about Colonel Sims in this connection?—A. No, sir; I remarked to him that "Mr. Boulden, if you all were mad with Colonel Sims for the speech that he made, you ought to have taken it out of him and not shot the colored folks, because they went to hear him."

Q. What did he say to that?—A. I don't remember what he said.

Q. He didn't say anything you remember?—A. Yes; I told him that we had no idea of attacking the white folks, and we had no such disposition, and there was no such proposition, nor plot, nor conspiracy among none of them; and I had noticed meetings and one thing and another very carefully, and if I saw any one was trying to make a plot for a fuss or riot or anything, I didn't care who he was, I would report him to the law and stop it; that I was a law-abiding citizen, and would do it, let him be white or black.

Q. Did you vote at the election?—A. I did not.

Q. Why didn't you vote?—A. Well, sir, on the day of the election I felt more like that the city (the colored) should be in sack-cloth and ashes, praying, than going to the polls, and when I went on the street and saw the blood of those men, my heart was in grief. I knew them all; raised among them from boys.

Q. You would not vote on account of the events of the Saturday before?—A. No, sir. Then I saw men that was armed, and I didn't know what might be the result. I had many thoughts about it; consequently I did not go to the polls.

Q. Did you know the men who were killed?—A. Yes, sir.

Q. I wish you would give their names.—A. Ed. Davis was one. I know all three of them. Jerry Smith was one.

Q. Who was Davis?—A. He was a colored man, son of Wallace Davis that used to live in Lynchburg, and he was cooking at the Arlington House.

Q. Who was the next one?—A. The next one was Jerry Smith, who lived on Jackson Branch, just outside of the corporation.

Q. Who was the next?—A. The next was Peter Walters. He died in two weeks from effects of the wound; and the other young man that

was killed was from Greensborough, and he staid at the Arlington House too.

Q. Greensborough, N. C.?—A. Yes, sir.

Q. Were they peaceable?—A. Peaceable; fine a boy as ever was raised in the town of Danville.

Q. How about them all?—A. Jerry was the same. He used to work for me, and he had had a long spell of sickness and just got out and could walk about. He was a member of the church, was one good thing.

Q. Give us the names of those who were wounded and did not die.—A. Reuben Owen, who lived at Clarksville, was one.

Q. Who was the other?—A. I don't know the others.

Q. Do you know the name of the woman that was shot that day?—A. I do not.

Q. Do you know how many were wounded that day besides those who were killed?—A. No, sir; I do not. After the first volley of pistols I got out of the way.

Q. What is the size of your congregation?—A. My congregation is very small where I preach.

Q. What denomination are you?—A. I am a missionary Baptist. I haven't any church in Danville. I live in Danville. My church is in Rockingham, North Carolina.

Q. Do you know the men of your congregation, of the region there, pretty well?—A. In Danville?

Q. Yes.—A. Yes, sir.

Q. I will ask you whether there is any bitterness in your congregation against the whites?—A. No, sir.

Q. Any disposition to violence?—A. No, sir.

Q. Have you ever heard any threats among them?—A. I have not. If I had I would speak it.

Q. As far as you know, do the colored people about Danville generally go armed?—A. No, sir; the grand jury before this last, I was a member of the grand jury, and I think we brought in some ninety-five indictments for selling minors whisky and carrying concealed weapons, and I think there were two colored men outside of the police who were indicted for carrying arms; and I have not seen any of them carry arms.

Q. Only two out of that ninety-five were indicted for carrying arms?—A. Yes, sir.

Q. When were those indictments found; how long before the riot?—A. I think those indictments were found the first Monday of October, 1883.

Q. About a month before the riot?—A. Yes, sir.

Q. What effect had that to prevent the carrying of arms upon the colored folks?—A. I heard them talking very often and say, "I ain't going to carry any arms; haven't got no \$15 or \$30 to pay fine." Some say, "No, I don't want none; its no use to have none." That was the general talk among the younger men, but the older men, I don't suppose, thought any more about carrying arms than I did.

Q. I want to get a little more fully from you the condition of mind of the colored people as to voting. Why didn't they vote? We have been told they would not vote on the Tuesday following. Why was it they did not vote?—A. Well, sir, I heard a good many of them say that they were not going to the polls; and I think on two occasions I heard them, standing—I didn't make any stop on the streets at all, passing by—say, one in reply to another, "If I can't vote unless I vote under lead and

powder I won't go to the polls." At that time there was a crowd of three or four men standing together, so I didn't get in the crowd ; just passed right on and never stopped in the street.

Q. The general effect was to keep them from voting then ?—A. It seems so.

Q. Do you know whether there was any combination or agreement among them not to vote ?—A. I do not. There was a bill that was printed and sent out first on Sunday morning by the authorities of the town certifying the desire to preserve the harmony and peace of the town ; that they could come up and vote, and on Monday, the 5th of November, there was another circular come out saying that they had prepared to protect every one at the polls that wanted to vote.

Q. That was the proclamation of Mr. Johnston, was it ?—A. Yes, sir.

Q. But the colored people felt that if they were to be met with pistols they would not vote ; that was the feeling ?—A. Yes, sir ; they said they wouldn't trust no one, because they were shot down and killed on the 3d of November for nothing. They didn't listen. They said the men would pull out pistols and shoot them down, and after they were all that wouldn't bring them back. That was the talk among some of them.

By Mr. VANCE :

Q. When this first began I understood you to say you were at Jones's drug-store ?—A. Yes, sir ; on the corner that fronts Market street.

Q. Did you get any closer up than that at any time ?—A. When they cried "murder" I stepped around on Main street right at the drug-store door.

Q. Then Jones's drug store opens into Market and Main streets ?—A. It has got a side door going out on Market street in the rear of the store, but his front door is on Market street.

Q. Now, where were you standing ?—A. Right at his door, on Main street.

Q. And when you heard the cry of murder, you stepped where ?—A. I stepped from around the backdoor, on Market street, to the front, on Main street.

Q. When you first heard it you were standing on Market street, and stepped around to Main ?—A. Yes, sir.

Q. You got no closer up than that ?—A. No, sir.

Q. Now, from there to Woolfolk & Blair's, where people were standing, is diagonally across Main ?—A. Yes, sir.

Q. How far do you think it is from the front door of the drugstore to the door of Woolfolk & Blair's ?—A. I guess about sixty-five feet, running bias.

Q. Sixty-five feet ?—A. Yes, I guess it is about that.

Q. Let me see if you are not mistaken. Main street is sixty feet wide, isn't it ?—A. I don't know ; it may be sixty feet along there.

Q. Then Woolfolk & Blair's is right smartly up the street ?—A. Oh, yes.

Q. Let me ask you now, right opposite Jones's drugstore is Hessberg's saloon, isn't it ?—A. Yes, sir.

Q. Then next to Hessberg's saloon is a barber shop ?—A. Yes, sir.

Q. Next to the barber is Vass & Company ?—A. It is.

Q. Then comes Ruffin, Woolfolk & Blair's office ?—A. Yes, sir.

Q. Now, it is four doors above the corner ?—A. Yes, sir.

Q. And Jones' is right opposite the corner, on the other side of the street ?—A. Yes, sir.

Q. Now, if the street is sixty feet wide it would make it further than sixty-five feet up to Blair's, wouldn't it?—A. Well, you take those three stores, from the center of that hall [indicating] back to here would contain the three stores.

Q. Do you mean the length of this room?—A. Yes, sir; from the center of the hall out there.

Q. You mean just outside the door?—A. Yes, sir.

Q. Well, that is about sixty feet itself.

By the CHAIRMAN:

Q. Were the stores about the usual width?—A. Yes, sir; the barber shop is very narrow; I reckon that is as near as you can get at it unless you go and measure.

By Mr. VANCE:

Q. That would make it about sixty feet across the front of those stores, from the corner of Hessberg's saloon?—A. Yes, sir.

Q. Then add sixty feet to the width of the street—that would make something in the neighborhood of 100 feet, allowing for the diagonal line?—A. Well, it might be.

Q. Well, as near as you can come at it?—A. Yes; I said it was about 60 feet; it may be more than that; I don't say positively that it was that.

Q. You could hear what they were saying, could you?—A. Yes; could hear them talking; couldn't understand it.

Q. You heard a man crying murder, and heard a man trying to separate them?—A. I saw that; didn't hear it.

Q. You heard some man calling out shoot?—A. Yes, sir.

Q. Did you hear any warning given before that command to shoot?—A. I did not.

Q. Didn't you hear some man say, "Get away! get away! get away?"—A. I did not, there was such a combustle right at that time. It might have been said; I didn't hear it.

Q. Didn't you swear before the grand jury you heard a voice say, "Get away! get away! or we will shoot?"—A. No, sir; I don't think I made that speech.

Q. Nothing like that?—A. No, sir.

Q. Then you did not appear before the committee of forty?—A. No, sir.

Q. Have you made an affidavit at any time or anywhere about this matter before?—A. Mr. Boulden sent for me, and I had a talk with him, and made an affidavit before him.

Q. In what proceeding was that?—A. Well, it was stated as I have explained it.

Q. Well, explain it to me, please.—A. Mr. Boulden sent for me and was talking, and I told Mr. Boulden the shooting was done.

Q. I know; but what proceeding was that affidavit to be used in?—A. I don't know; it was not before the committee of forty.

Q. What was he going to do it?—A. I don't know; he didn't say.

Q. Did he swear you to it?—A. No, sir; we were just sitting down in his office talking.

Q. I understood you to say you made an affidavit—

The CHAIRMAN. I think he said Mr. Boulden was acting for the committee of forty, or arranging for it.

A. I think I had the conversation before the committee of forty met. I think it was; I am not certain.

By Mr. VANCE:

Q. He wanted to ascertain what you would swear to, I suppose. He didn't take your affidavit?—A. No, sir.

Q. How many white people, as near as you could judge, were present when the fight was going on between Noel and Lawson?—A. It seemed to me at the time I saw them, probably there was gathered about twenty or thirty white people, and they were still coming.

Q. While the fist fight was still going on, before they were separated?—A. Yes, sir.

Q. How many colored people were there then?—A. I suppose there was about not less than seventy-five or eighty boys and women and men standing in the gutter in front of them.

Q. The boys were in front, were they, and the women next to them, and the men in the rear?—A. It was just a general mix up amongst them.

Q. Well, you mentioned boys, women, and men, as though the men were in the rear. Were the boys and women taking part in the fight or separating them?—A. They were standing, so far as I know, looking on.

Q. Where were they standing, in the front part of the crowd or in the rear?—A. They were standing in the street, all mixed up together.

Q. Were there any women mixed up in the fight?—A. They were all mixed up in the crowd.

Q. Boys there, too?—A. Yes, sir.

Q. How big were the boys?—A. Different sizes.

Q. Any women there with sucking babies in their arms?—A. Oh, no, sir; I didn't see any with sucking babies in their arms.

Q. You didn't?—A. No, sir.

Q. How many men do you think there were?—A. I don't know. In a case of that kind it would be hard to say how many there was.

Q. It would be about as easy to say as it would be to judge of the numbers altogether, and your eyes flashed over them, I suppose, and you saw who they were, and the character of the men, size, and so on?—A. I could not say how many men there were.

Q. Could you give us any impression—the best of your knowledge? Was half of the crowd men?—A. No, sir; I don't think half of the crowd was men at that time, but they kept coming, and probably before the crowd dispersed there might have been half of the crowd men.

Q. There might have been half of the crowd men?—A. Yes, sir; or more, I don't know.

Q. When the firing took place, I mean the general firing, did you notice how many colored men were present then?—A. There was a great many colored men, women, and children. They kept gathering until they commenced shooting.

Q. You will bring in the women and children.—A. Yes; both the white and colored.

Q. Can you tell us all the colored women's names who were there?—A. No, sir; I cannot.

Q. You cannot mention a single woman. You knew a great many in town, didn't you?—A. I did not.

Q. Can you tell us of any little children who were there?—A. There was so many, you know, in the excitement that I couldn't name no one in particular now.

Q. That's just what I supposed. But you are very particular and positive on some things and very vague on the balance.—A. I am only positive on what I saw, and that's all—not adding nor taking away.

Q. Not adding to nor taking from it?—A. No, sir.

Q. Well, you cannot give us any idea how many men there were when this firing commenced?—A. No, sir; I cannot.

Q. Nor whether the men were in front, or whether the women or children were in front?—A. There was a general mixture among all. They all gathered.

Q. It is natural, is it not, when there is a fuss of that sort, when there is any danger apprehended that women and children stay in the rear?—

A. I would suppose so, but it didn't seem they thought that it would be any fuss. The women pushed up to see. Anything like that raises any one's curiosity, and the children pushed to see.

Q. They knew that there was a fight going on, didn't they?—A. Of course they knew it was a fight when they heard the cry.

Q. And they saw pistols as well as anybody else?—A. Yes, sir.

Q. You saw a pistol, but you were rather down street. Now did the women and children press up where they saw those pistols displayed?—A. Yes, sir; they went up there.

Q. Rushed right up?—A. Yes, sir.

Q. The men did, too, I suppose?—A. Yes, sir.

Q. But you heard nobody give any warning?—A. No, sir; I didn't hear any one give any warning.

Q. Did you see some men though trying to appease the crowd—to get them to disperse?—A. I saw Bob Adams and after a while Walter Withers come up—two colored policemen.

Q. Did you see Mr. Freeman, a white policeman?—A. No, sir; I didn't see him.

Q. Did you see Mr. Corbin?—A. No, sir.

Q. Nor Mr. Peter Booth?—A. No, sir.

Q. Nor Captain Oliver?—A. I did not.

Q. Nor Mr. Robinson, nor any white man trying to make peace—you didn't see that?—A. No, sir.

Q. Well, when the firing commenced I understand you to say you stepped back around into Market street?—A. No, sir; I didn't say that.

Q. What did you say?—A. I say I heard firing; I was standing right at the door or just below, and I opened the door and stepped inside and stood at a window and looked out until they got down to the corner of the market.

Q. How long did the firing last?—A. I suppose about three minutes.

Q. About three minutes?—A. I reckon that.

Q. Did you go out on the street after it was all over?—A. I went out through the door in the rear part of the store and made straight for home; never looked back.

Q. You struck right for the old fire-place, did you?—A. I did, and staid there.

Q. Where do you live?—A. I live on Franklin street, just above the depot, down towards the fair-grounds.

Q. On the south side of the river?—A. Yes, sir.

Q. You say the black people made no resistance at all?—A. No, sir; I didn't see any make any resistance at all.

Q. Did you see any with weapons?—A. I did not.

Q. Did you hear any pistol firing from among the colored people?—A. I did not.

Q. Did you see any bullet marks on the walls of the houses in the rear of where the white people stood?—A. I saw some afterwards.

Q. Whereabouts did you see them?—A. I saw, I think, two bullet holes on the walls of Mr. Averitt and White's store, on North Market street, right at the corner of Mr. J. A. Nicholas'.

Q. Did you see any on Hessberg's?—A. I did not.

Q. Nor on the barber shop?—A. No, sir.

Q. Nor on Woolfolk & Blair's?—A. I didn't see these until the other day, and they were shooting immediately where the bullet holes were.

Q. You saw some bullet holes then?—A. Yes, sir.

Q. Did you see Mr. Holland when he was shot?—A. I did not.

Q. Did you see Mr. Seward when he was shot?—A. No, sir.

Q. The butcher—you know him, don't you?—A. Yes, sir.

Q. Did you go about the polls the day of the election, Tuesday afterwards?—A. I did not. Didn't go up to see or anything.

Q. From what you heard about the preparations made by the mayor and other citizens who joined with him, don't you think you could have voted if you wanted to?—A. Well, probably I might, but I didn't have any mind to, my heart was full of sorrow, and I didn't feel like talking.

Q. Yes; but you must remember that your country might need your vote for the preservation of your liberties, didn't you feel that?—A. Yes; I had always got out up to that day.

Q. Well, why couldn't you get out that day—the time of trouble is the time when protection is most needed?—A. In time of peace a man should prepare for war.

Q. Yes.—A. But in time of batt'e is no time to prepare.

Q. But when the war is over a man ought to go to works of peace, hadn't he?—A. That is so.

Q. Well, the war ended Saturday, didn't it?—A. I don't know; it might.

Q. There had been nobody killed since that, had there?—A. Men were armed Sunday, Monday, and Tuesday.

Q. They were keeping the peace in the street, were they not?—A. They say they were.

Q. Don't you know they were there by the authority of the mayor?—A. By the authority of the mayor?

Q. Yes; and the sergeant of the city?—A. I don't know; they might.

Q. Did you see any men parading the streets on Sunday, except those who had been assigned to keep order in the town?—A. I didn't go on the streets on Sunday. I didn't leave my house until Monday.

Q. You said you saw men armed on Sunday. Where did you see them?—A. No, I saw them Monday.

Q. Where did you see them Monday?—A. On Main street.

Q. Were there any except those who had been assigned to keep the peace?—A. I don't know who was assigned.

Q. Tell us who you saw with guns, and then we can tell whether they were assigned or not.—A. It may be those that had been assigned to keep order with arms.

Q. Did they say anything to interrupt anybody?—A. I don't know; they didn't interrupt me; I didn't stay on the street long enough for them.

Q. Didn't you know the gentlemen who had arms?—A. I knew some of them that were armed to keep the peace.

Q. How did it come that there was such a general and unanimous understanding among the colored people that they were not to vote?—A. I am not able to answer that.

Q. Did you get orders from somewhere not to vote?—A. Not that I know of.

Q. Didn't word come down from among your leaders not to vote?—A. No, sir; if it had I would say it. It did not reach my ears.

Q. But every one you saw, with whom you talked, said he was not going to vote.—A? Yes, sir.

Q. Now, it is a little strange they should have been so unanimous about it, isn't it?—A. I don't know sir. When anything happened as certain as that did, and two or three deaths in the midst of it, why it shock anybody, and make them come very quick to the conclusion not to go in the crowd. That's the only account I can give of it. After the killing of these men on Saturday they thought they would be in danger, probably, to go to the polls. I could not construe it for anything else, though I don't know it—can't say it was so.

Q. Well, the people you voted with, the colored people and Readjusters, and Republicans and so on, were in a large majority in the town, were they not?—A. Yes, sir.

Q. Now, don't you think if you had had the proper manhood, you could have gone up and voted and the majority could have protected themselves?—A. I will tell you this, if there hadn't been any shooting done we would have went to the polls as usual and cast our ballot, perhaps one and all, and not do it in a boasting way either.

Q. Of course.—A. But after that occurred, it is just like you killed a leader of wild geese, then the army is demoralized. If you kill your general or cut down your flag the company is demoralized. I have been in the army waiting on my young masters.

Q. Were these men who were killed leaders or generals of the party?—A. No, sir. They didn't kill the leaders; they killed those that was innocent.

Q. Don't you think, Mr. Barksdale, that a proper manhood and a proper appreciation of that great right of suffrage would have made you all go up and put in your votes that day, if your people had been capable of appreciating that privilege?—A. I will answer your question in this way—probably it may meet the question that you ask me. I believe that all of them that had been voting thought conscientiously what they were voting for, and felt it was their right and privilege to do so, but I don't believe—I don't know, sir; I aint speaking for a possible thing; I heard it a comment among them—I don't believe if they had sent an army down there to command them up they would more than got them to go to the polls and vote.

Q. You don't believe they could have got them up with an army?—A. I don't believe they could have more than got them.

Q. That don't answer my question.—A. Well.

Q. Do you believe it is right to give the people the right of suffrage who don't appreciate it more than that?—A. Yes, sir; I believe it is right to give them the right and protect them in doing so.

Q. And have a standing army?—A. No, sir.

Q. How protect them?—A. Peace and harmony.

Q. Well, if any fight occurs before the election they get scared and keep from going up on the day of election. Do you think that is proper appreciation? Now, there was every effort with the white people to have them vote on the day of the election, wasn't there?—A. Yes, sir; I looked upon that offer just in this way. I may be wrong. You are more able to judge it, probably, than I am. It is too late for you to offer me a compromise after you have wounded me or killed me.

Q. Compromise would do no good?—A. No, sir; in that respect. Now, that seemed to be the general feeling among them—that they would not listen to any one—was not going up there.

Q. Now, let us look at it a little. The row occurred on Saturday?—A. Yes.

Q. It was stopped in a few moments after it begun. There was no more firing nor any more violence. The city authorities all belonged

to your party, and the leading citizens among the Democrats united with them?—A. They didn't all belong to the Readjusters.

Q. Well, the bulk of them did. The mayor, who had control of the peace of your city, was your man?—A. Yes, sir.

Q. The sergeant of the town was your man?—A. Yes, sir.

Q. The majority of the police were your men, and the leading Democratic citizens united with the mayor and the sergeant and the other authorities of the town to assure you that you should be protected?—A. Yes, sir.

Q. The governor of your State, who is of your party, sent a military company to see that you were protected, didn't he?—A. Yes, sir. They sent a company there. I don't know whether they were sent to protect.

Q. Well, he certainly didn't send it there to assail his own party, did he?—A. If you were right he sent them there to assail any that would violate the law.

Q. Well, that was in your behalf, but with all that, with both parties, the Democrats, the town authorities, and troops there, you would not go to vote because you were afraid?—A. Well, that was so.

Q. Now the question comes back ought a man who is afraid to vote under those circumstances to have the right of suffrage?—A. If this proclamation had been by the mayor, governor, and sheriff, and all the leading Democrats saying before the election, we shall have peace and we shall see if there is any conspiracy here and no shooting done, we could have had general harmony and peace as it has always been, but all this took place after the killing was done.

Q. Well, it couldn't take place before the killing.—A. It would not amount to anything after they killed.

Q. The election was still to come, wasn't it?—A. Yes, sir.

Q. You say these men who were shot were all peaceable men?—A. They were.

Q. Do you know them all?—A. Yes, sir; I know three of them.

Q. You don't know what part they took in the fight that day?—A. I don't think they took any part; I don't know.

Q. A peaceable man may sometimes violate the peace as well as others, may he not?—A. A peaceable man sometimes standing in a crowd may get hit.

Q. You have heard the story of Tray, haven't you? He was a very good dog, but he got into bad company. These men were in the midst of that disturbance, weren't they, whether they were doing anything or not?—A. They were in the midst of the colored people, standing there.

Q. Did you see Jerry Smith after he was dead?—A. I did; I didn't go to him, though.

Q. Did you see him shot?—A. No, sir.

Q. You don't know who shot him?—A. No, sir.

Q. Now, you were very near. If you were standing on the corner there of Jones's drug store you were very near to where Jerry Smith was shot, wasn't you?—A. I was in the store, and after the shooting was over I came out the back door in the rear part of the store, and he was lying on the corner on his face, and men were gathered around, and I didn't go near him; I went right straight home.

Q. You were looking out of the window right across towards Hessberg's?—A. Yes, sir; was looking out of the window. After the first volley of pistols I opened the door and stood inside looking out of the window; looking at them shooting, until they got to the corner of Market.

Q. One minute. How far up on the other side could you see from the window?—A. I could see up above Woolfcock & Blair's.

Q. Could you see the men shooting who shot about the time you suppose Jerry was killed?—A. No, sir.

Q. Didn't you see any men on the sidewalk opposite you shooting towards where Jerry was found?—A. No, sir.

Q. Did you see Captain Graves kill anybody that day?—A. I did not.

Q. Did you see Mr. Cabell rescuing some colored man there in front of you?—A. No, sir; I didn't see Colonel Cabell but once during the shooting; after the shooting I saw him go around the market square; I thought he was trying to preserve peace; that was what I thought. I was inside the door. As soon as they passed the door going down Main street I slipped out and went on home; that's all I saw of him.

By the CHAIRMAN:

Q. I will ask you if some of the colored people did not go away for good after this shooting?—A. From Danville?

Q. Yes.—A. Yes, sir.

Q. How long did they stay away? Have they come back yet?—A. I don't know. Some of them have not come back.

Q. Has Adams, who testified here, gone away to stay? Has he left the town, or Hense Lawson?—A. Hense Lawson; no, sir; he has not gone; nor neither has Davis Lewellyn.

Q. When this colored crowd of men, women, and children were there did they have any defense whatever, any mode of protecting themselves?—A. I did not see any.

Q. Senator Vance seemed to think they did not show spirit. Suppose they had had pistols and killed the three men who made the attack, would you think they were justified in that?—A. I would not, sir.

Q. Do you know whether or not that would have been the legal right of that crowd to have prevented the men who had been the assailants? Do you know that?—A. I don't exactly understand it, but if you will let me answer I will give probably what may be an answer to your question.

Q. Well.—A. I think all good citizens, law-abiding men, when they see any two men fighting not to encourage it, but to disperse it and to arrest them; and I asked Mr. Boulden if there was not white men and colored in Danville to arrest Hense Lawson and Noel and help carry them before the justice of the peace.

Q. But suppose three armed men come up to an unarmed black man, and the others standing by tried first peaceably to separate them, but finding that they could not do that, and the only way they could go about to put a stop to this attack upon Lawson was to kill these men who had arms in their hands, what would you say to that? Would that be right or wrong?—A. To my judgment, that would be wrong.

Q. That was your feeling?—A. Yes, sir.

Q. But you saw no effort of this kind except the effort of the policemen to separate the two that were fighting?—A. That's all I saw.

Q. Well, Senator Vance seems to inquire whether you had the spirit of freemen when you would not go up to vote on the day of election, three days afterwards. Was that because you believed your vote would be ineffective after your people had been frightened?—A. Yes, sir; it was.

Q. Had you registered?—A. Yes, sir.

Q. Had the colored people registered generally?—A. Yes, sir.

Q. They expected to vote?—A. Yes, sir.

Q. You had a majority in that region, in Danville, of five hundred?—
A. Yes, sir.

Q. But in consequence of the killing of these men and the excitement you say you did not vote; you just felt it was no use to vote?—A. No, sir.

Q. If you had gone there armed, as you ought to have been armed—as you say the white men were armed—armed to vote, to assert your right to vote as freemen, would it not, in your judgment, have created a riot?—A. Undoubtedly, I think it would.

Q. Yes, if the colored people had gone——

Mr. VANCE. Nobody said the white people went to the polls with arms.

Mr. LAPHAM. The only ones who have been examined said they were armed. Mr. Graves said he was armed, as I understood him.

By the CHAIRMAN:

Q. You knew that these men were armed on Saturday, Sunday, and Monday. Now, I will ask you if the men who were called into the police force were not the men who were prominent in the shooting many of them?—A. Some of them were.

Q. Were any colored people mustered into that force for the protection of the town?—A. None but the two policemen, Adams and Withers.

Q. No additional colored people armed?—A. No, sir.

Q. The only people who were armed were the men who had been on the side of the people who shot?—A. Yes, sir.

Q. So that the people who were called in to protect you were the men that shot you; was not that the point?—A. Yes, sir; that's the point we looked at.

Q. Then, suppose you had gone there with arms in your hands to assert your right as freemen, as you had a right to do, would not that have precipitated a fight?—A. Yes, sir.

Q. And in that fight the colored people would have been at a great disadvantage, would they not?—A. Yes, sir.

Q. Why would they have been at a disadvantage?—A. First, because the colored folks had no arms; and if they had attempted such a thing, I believe, before we could have got any protection whatever, the white folks could have killed the last one. That's my conviction about it.

Q. Is there a colored military company in Danville?—A. Yes, sir.

Q. Was that called out?—A. No, sir.

Q. But the Danville Grays, a white company, was called out?—A. Yes, sir.

Q. Are the colored people there skilled in the use of arms, pistols, &c.?—A. Some of them are; those that hunt a good deal in the winter.

Q. They hunt with muskets, but how is it with pistols; are they accustomed to the use of them?—A. I don't know; I never saw any using pistols.

Q. The white people generally are accustomed to the use of arms, are they not?—A. Yes, sir.

Q. I suppose most of the white people thirty or forty years old served as soldiers, did they not, in the Confederate army?—A. I guess they did.

Q. Were you living there at the time of the war?—A. I was sent there in 1850.

Q. Did the white people go away pretty much in Danville into the war?—A. Yes, sir; pretty much all of them went to the war.

Q. Where were you during that time?—A. I was living at Danville, at the hotel.

Q. During the war were not the larger majority of the men of Danville colored people?—A. Yes, sir; there was a majority, I think, then probably colored; not much. Danville was very small then and the inhabitants was very small.

Q. Well, take the county. The white men went into the army and the colored people were left at home, was not that the general way?—A. Yes, sir.

Q. The majority of the people in the county in which you lived, Pittsylvania County, are black people, are they not, and always have been?—A. Yes, sir.

Q. And during the war the black men remained there at home and the white people had gone into the army?—A. Yes, sir.

Q. Was there any disturbances, or riots, or murders, or crimes of that kind committed during the war, that you know of, by black people?—A. Not that I know of.

Q. Any white women outraged or any houses burned?—A. No, sir.

Q. Any insurrection or anything of that kind?—A. No, sir; we remained quiet and peaceful at home and served our masters and mistresses.

Q. Were you a slave then?—A. Yes, sir.

Q. You served your masters and mistresses until the war was over?—A. Even as the freedom came to our mouths saying you are free; didn't make no resistance then.

Q. And then you voted?—A. Yes, sir.

Q. Has there been any turbulence or riots among the colored people since that time? I don't mean any individual murder or wrong, but any riots or insurrections or violence.—A. I remember, I think it was in 1866 or 1870, that there was a disturbance amongst some of them; a fire broke out there, and there was sixty colored men had charge of the engine there—worked with a lever pump—and one of the members, I think, had been working all night trying to put the fire out, and some of the people in moving goods dropped a pair of shoes, and this man going on picked them up, and the policeman then arrested him, and he sent word around to the company that they had put him in jail for picking up a pair of shoes out of the street; and at that time the company was working all night; and they gave them whisky to drink, and they went up to the jail to see about it, and Mr. Henry Wooding, dead and gone, was mayor of the city then, and he sent word down for them all to disperse, and he would look after the matter. He did so after breakfast, I think, and turned the man out; at that time some of them had been drinking whisky.

Q. Some of the colored people?—A. Yes, sir; and the white folks together, and they got mad, and it seemed like they were about to get up a row, but it didn't result in anything.

Q. That's the only case you recollect of a threatened riot?—A. I think once since that; I don't know how it came about; I had to go away the very Saturday to North Carolina to ordain a young man for a minister, and there was some little row got up then, and the company of Danville Grays—I believe Captain Robinson was captain of them then—was called out to stop the fuss, but he can tell more about that than I can. I got back Sunday evening and heard there had been a disturbance, and one of the young men got bayoneted, but he got over it and got well. That is the only disturbance, and I think that was about ten years ago.

Q. That was in 1871, was it?—A. Yes, sir; I think so.

Q. That was not a contest between blacks and whites that grew out of the picking up of that shoe, was it?—A. Yes, sir; the first one I remember very well.

Q. I will ask you whether the colored people in your region are not a peaceable, law-abiding, quiet set of people?—A. They are so far as I know; of course, you know among all classes there is some few ruffians; some that don't care what they do, and get into trouble. But take it as a general thing among the general class of the colored folks who know what is right, everything is peaceable, quiet, and respectable.

Q. What kind of a man is Lawson? Do you know him personally?—A. Yes; I know him when I see him. He always staid at Mr. Jerry Nicholas' bar-room—tended bar there.

Q. Was he a turbulent man, a violent man?—A. Not that I know of; I have never seen it.

Q. Did you ever hear of him seeking quarrels and bullying, being insolent?—A. No, sir. I think he had a fight there once with a gentleman on the street.

Q. Was that with Noel?—A. No, sir. I believe the year before last; I don't know.

Q. You don't know whether he is a man of turbulent and violent manner?—A. No, sir; I don't.

By Mr. VANCE:

Q. By what authority do you tell Senator Sherman that the colored folks had no arms?—A. I told him that if they had them I didn't see any.

Q. I don't mean in the fight, but generally?—A. I didn't tell him they didn't have any arms. I said I saw them with guns a hunting; some of these old muskets. I never saw them practicing with pistols. [To the Chairman.] I think that was the substance of your question.

The CHAIRMAN. Yes, you said you never saw them with pistols, but you saw them with guns.

By Mr. VANCE:

Q. Now, you seem to be a just man. I want to ask you if there is not a great difference in behavior between the older black people, who were slaves, and the new generation?—A. Well, sir, there is among some of them. It seems that this day and time, as this nineteenth century draw nigh, that even the rising generation, both white and colored, they seem to be rather disposed to have a row sometimes.

Q. I will ask you directly if the older colored people that were slaves are not more industrious and more orderly than the new generation of the colored people?—A. I will answer that to the best of my ability. I don't know for certain, but I find all the old colored folks that were slaves they seem to try to attend to their business, and make an honest living as near as they can.

Q. They don't idle on the streets so much, do they?—A. No, sir.

Q. They don't dress so much and smoke as many cigars and put on airs so much as the new generation?—A. No, sir.

Q. Now, as a general rule, I will ask you if the disposition of the white people, especially those that used to be your masters, is not kindly toward the colored people?—A. Kindly towards them?

Q. Yes.—A. Yes; some of them is.

Q. Isn't it the general rule that you receive more kindness from that class than you do from those who didn't own you or have anything to do with you?—A. Yes, sir.

Q. That is true, isn't it?—A. Yes, sir.

Q. Don't you find that among the old slave-owners there is rather an affection for their old slaves?—A. Well, some of them have and some have not.

Q. What is the general rule, do you think?—A. I don't know. I couldn't answer for the general rule of the county nor the State.

Q. Well, your observation?—A. Around about Danville we sees that they are rather respectful to their old slaves, and treat them with respect.

Q. Now, up to this time you had never been interrupted in your right to vote in Danville, had you?—A. No, sir.

Q. And your people had voted freely up to that time?—A. Yes, sir.

Q. Now I will ask you, in all the time since you have had the right to vote, if the administration of the State and of the city of Danville was not Democratic?—A. The State has always, I think, gone Democratic, but Danville had always gone Republican or Coalitionist, whatever it was called.

Q. That is of late years, isn't it?—A. That has been for the last fourteen years.

Q. For the last fourteen years?—A. Yes, sir.

Q. Was not the mayor you spoke of, Mr. Woodin, a Democrat?—A. Oh, yes.

Q. Wasn't Mayor Cole a Democrat?—A. Yes, sir.

Q. Wasn't Mayor Luck a Democrat?—A. Yes, sir; I think he was. He accepted of the nomination for the Coalition party, or Republican party.

Q. Wasn't Mayor Ayres a Democrat?—A. He was.

Q. Now, that's four Democratic mayors you have counted back?—A. Yes, sir.

Q. And during all their administration no effort was made to keep you from voting as you pleased, was there?—A. No, sir; there wasn't.

Q. Then, as a general thing, you would not charge that the Democratic party has tried to interfere with the right of suffrage in Danville?—A. I couldn't charge the mayor with that at all.

Q. I mean you could not charge the authorities, those in power, with interfering with your right of suffrage?—A. Well, sir, that's a question I should not like to answer unless it was necessary for me to do so, for there is two sides to the question.

Q. It is a plain question. I will ask you if before this time you had any reason to believe that the Democratic authorities wanted to keep you all from voting freely in Virginia and in the city of Danville?—A. Well, you name the mayors of the city that were Democrats.

Q. I mean those who were in authority in the State and in the city government?—A. Well, there was no disposition by them, but when a riot like that got up the mayor is powerless; he couldn't do any more than any one else. They took possession of the city.

By the CHAIRMAN:

Q. You have said to Senator Vance that among some of the old masters and their former slaves the feeling was yet respectful and kindly. I will ask you now whether there is not among the young white men, who have grown up since the war, a feeling of great bitterness against the colored people; a disposition to insult them whenever they can, call them "niggers," and say offensive phrases, terms of reproach?—A. Yes, sir; that has been pretty much so.

Q. What is the common way of addressing your people; how do they

call them?—A. Well, sir; they call us “niggers;” very seldom they say colored men, though all the white people there treat me with respect.

Q. They treat you respectfully because you are a clergyman?—A. I don’t know that they do for that.

Q. How do the young men—we have had several of them examined as witnesses—how do they generally speak of the colored people?—A. What, the witnesses you have had here?

Q. No, I speak of the young men generally; don’t they call them “damn niggers”?—A. If they get mad with them they call them “damn niggers” directly, don’t hesitate about that.

Q. And constant insulting expressions?—A. Yes, sir.

Q. Is there not a feeling of repugnance among the whites of Virginia against the colored people voting?—A. I only judge from this last disturbance in the election that it were. That is, that is my opinion, not that I know any personally.

Q. Have there been any colored people killed since the 3d of November last in Danville; and, if so, who are they?—A. There was one killed since that by a policeman.

Q. A white policeman?—A. Yes, sir.

Q. Well, don’t go into particulars, but have there been any others?—A. There was one killed just the other side of Fall Creek, up there, by some man who brought tobacco there.

Q. Have there been any other cases of homicide of colored people, either by colored people or by white people? Don’t go into particulars.

(Mr. Vance objected, unless he had a right to cross-examine.)

The CHAIRMAN. I will not press it.

Q. How long since was the poll-tax in Virginia repealed; November, 1882?—A. Yes, sir.

Q. Then before that time you had to pay a poll-tax before you voted?—A. Yes, sir.

Q. What party passed that bill?—A. They say the Democratic party passed that bill.

Q. Repealing the poll-tax?—A. No, sir; the Readjusters passed that bill.

By Mr. VANCE:

Q. You say when the young white boys get mad, they speak of the colored people as “dam niggers”?—A. Yes, sir; some of them do.

Q. I will ask you whether, when the colored men get mad at each other, they don’t call one another “dam niggers”?—A. I guess they do. They never use the expression, though, where I am.

ALBERT CALLOWAY sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. Between nine and ten years.

Q. Are you a married or a single man?—A. I am married.

Q. How much family have you?—A. Nothing but a wife.

Q. Where were you on the 3d of November?—A. I was on Main street, right in front of Woolfolk & Blair’s office.

Q. Tell the committee what you heard and saw, in your own way.—A. I was near about the middle-way of Main street, starting home, and I heard this fellow, Nat Lawson, hollering murder, and it called my attention, and I run up to see what was the matter, and I came upon Mr. Noel and Hense Lawson, who was in a fight. I goes up as close to them as I could get without touching them, and when I got up there Mr. Lea was there, and I forget the other gentleman’s name, but he and Mr. Lea

was standing there with pistols in their hands, and says, "No man touch." I run up and spoke the very same words; says, "No, don't nobody touch. There aint but two men fighting, and let them fight." He says, "Stand back, stand back," and I spoke the same words. I says, "Yes, everybody stand back, and let them have a fair fight." I says, "Mr. Noel will whip him anyway. It is a fair fight and he is whipping him, too." At that time Bob Adams came down, the policeman, and he says "Peace here, gentlemen; this won't do, this won't do." Some person spoke to him. I don't know whether it was Mr. Lea or not; he says, "Go away, you aint going to rule this town; you niggers can't rule this town;" and he says, "Well, gentlemen, I can't help it, you must stop it." Bob runs up and collars them both; jerks them apart. While he was parting them there was a colored fellow run up—I think his name was Adams, I don't know—he runs up and grabs Mr. Lea's wrist, so fashion [indicating].

Q. What did Lea have in his hand?—A. He had a pistol, and in pulling Mr. Lea, him and Mr. Lea both fell on their hands, and this fellow Adams jumps up and run. He run in the straight direction that the man was found dead. He run straight in that direction for about 20 feet, and then as he went in that direction about 20 feet he made a short turn and went right straight back to the same side of the street, right front of Mr. Averett's shoe store. I says to myself, "Yes, you are certainly shot, because Mr. Lea couldn't have missed you."

Q. Did Lea shoot?—A. Oh, he shot right at him. Yes, he will own that himself, I reckon. He shot right at him. I says to myself, "You are certainly shot in the back." Presently I saw Adams in the crowd again coming back, and to tell some colored people, "Yonder is the man that shot at me," and at that time Mr. Booth (I think Mr. Booth) come, and Mr. Jeff. Corbin come right to me and says, "You all get off the street; get off the street; don't be raising all this disturbance here." I says, "All right." I says, "In the first place there aint no person doing anything." I says, "There wasn't no use of all this trouble; there was nobody fighting but two men, one colored and one white, and the white man whipped him." He says, "But you all make such a fuss here, and furthermore," he says, "I am a friend to you and you don't know what you are doing."

Q. Who said that?—A. Mr. Corbin. He says, "I am a friend to your color, and you all get off the street. You don't know what you are doing." And Mr. Freeman came to me and says, "You all get off the street." I says, "Why, Mr. Freeman, you aint fair." He says, "What's the matter?" I says, "The colored people standing on the middle of the street and the white people on the pavement, and you are all on one side and none on the other." I says, "You make everybody go away; clean off the sidewalk opposite;" and then he says, "I can't do it;" and I says, "That's so; I believe you are doing all you can." I says, "Well, I will go," and I started and met Mr. Booth. He says the same words "You all get off the street." I says, "All right; if that will do any good, I will leave;" and he says, "There's nothing but two men fighting, and one had whipped the other, and that is all there is about it." Then I goes on five or ten yards further. I came upon Mr. Holland, the man that got shot; I came upon him, and he asked me, "What's the matter down there—all that fuss?" I says, "Nothing in the world, but just two men fighting." He says, "Who are they?" I told him Hense Lawson and Mr. Noel, and Mr. Noel whipped him, and that is all about it. He says, "What in the world is that to make such a great excitement?" I says, "I can't give an account of it; that I was in it and I was one more, and now I am

going away out of the thing." He says, "It's a pity all that fuss down there for nothing;" and the time he spoke that word the shooting commenced.

By Mr. LAPHAM :

Q. From where?—A. Right from the very spot I left them at—right in front of Woolfolk & Blair's.

Q. From whom?—A. Oh, from the white people.

Q. Shooting into the crowd of black people?—A. Yes, sir.

Q. Was that the time that Holland got shot?—A. Yes, sir; he got shot then. I am most willing to take my Bible oath that he was not in it, and I am most willing to take a Bible oath he didn't shoot, according to the appearance; the way he talked to me, I don't believe he had any idea of shooting at all.

Q. And he was shot?—A. Yes, sir; he was shot, but I don't believe he was in it, and I believe he was shot by the white people on the street, because me and him was talking together, and from his appearance I don't think he had any idea of shooting, and then when the firing commenced of course I done the best I could for myself. I run. I am a pretty swift runner, too.

Q. Didn't the colored people all run?—A. Oh, yes; of course they run; they run in every direction.

Q. Did you see any firing from the colored people at the whites?—A. No, sir; I didn't.

Q. Did you see any colored people with arms?—A. Yes, sir; a young man who was here yesterday, by the name of Davis Lewellyn.

Q. The one that had the white-handled pistol?—A. Yes, sir; I think it was one that had a white-handled pistol. I think he had it in his pocket.

Q. Is that the only instance?—A. That is the only one, and I don't believe I would be swearing to anything wrong if I was to swear there was not more than six pistols in the crowd. I don't believe there was that.

Q. Did he use that pistol, so far as you saw?—A. Not to my knowing. Of course, when I left him he didn't seem to have any idea of using it.

Q. Where were the white people who fired?—A. At the time they fired I reckon most of them were off the pavement, standing on the edge of the gutter.

Q. Were they in a line?—A. Yes, sir; in a line.

Q. How many of them?—A. How many when they shot?

Q. How many when they first fired?—A. After they first shot, you understand?

Q. Yes; after Lea shot; I don't mean that. When the general firing first commenced.—A. Oh, well, I couldn't tell that.

Q. You can tell something about it. How many men were in line when they fired the first volley from their pistols?—A. How many were there?

Q. Yes. I mean the white people who had pistols.—A. I reckon there was one hundred or so. There might be more, but, of course, I am satisfied of that.

Q. How did they hold their pistols; did you notice that?—A. I reckon there was some forty or fifty pistols were up in their hands, and some had their pistols in their hands and swinging down, and a great portion didn't have them in sight if they had them.

Q. Those holding their pistols up, were they supporting their right

hand with their left? Did you see them in that position?—A. I was not noticing. The fact of the business, if I was to tell the truth——

Q. Did they fire at the colored people as they ran?—A. Oh, yes.

Q. Did they follow them?—A. Well, they went across Main street to the corner of Market.

Q. They took possession of the street?—A. Oh, the colored people got out of the way.

Q. Did the colored people return at all?—A. I don't know; from the appearance I don't think they did.

Q. You didn't return?—A. Oh, myself? No; bless you; I didn't.

Q. Which way did you go?—A. I went up Main street to the corner of Mr. Wiseman's, and went around the next street, which is called Patton street.

Q. You ran to get out of the way of the firing?—A. Yes, sir; I didn't do anything else.

Q. Did you have any arms?—A. No, sir; I haven't had one for fifteen years, and I lost that possum hunting, and I didn't have any use for that when I was hunting; haven't had another to this day.

Q. Well, you didn't have any this day?—A. No, sir; no use for a pistol at all.

Q. Mr. Taylor says before there was any firing there he had a talk with you, and that his advice to you was to leave and advise your friends to leave, and that you turned to a young negro that was with you, and you and he turned and went up street.—A. Mr. Taylor?

Q. Yes.—A. Well, that is the man. I knew Mr. Taylor.

Q. Did you see the man who was standing there with Lea when Noel and Lawson were fighting?—A. Yes; of course.

Q. Had he a pistol?—A. Yes, sir; I said that both of them had.

Q. That is the man I referred to.—A. Oh, well, then, that makes the first time that ever I had any talk with him in my life. I think it was on Monday afterwards.

Q. Did you have any talk with him that day?—A. No, sir; he met me on the street afterwards Monday. He called my name, and he says——

Q. I don't ask for that now. You had no talk with him there on the ground?—A. No, sir; I spoke to Mr. Corbin and Mr. Booth; that is what I said; I said to them about leaving. That is all.

Q. Did you say to Taylor, "I have done all I could to get those negroes to go away and I can't do it?"—A. I didn't speak to him that day.

Q. Then you didn't say that to him, did you?—A. I didn't speak to him that day.

Q. Now, when those men were separated—the men who were fighting—was there any occasion, so far as you saw, for any further violence there?—A. Not a bit.

Q. Was the attitude of the colored people threatening at all?—A. Oh, no, sir. I say I never got excited myself.

Q. Were the colored people generally excited; were they not there for curiosity, merely to see the fight?—A. About the place where this fighting commenced, you can go there this coming Saturday and see this same crowd in less than 20 yards of the spot.

Q. What kind of people were they?—A. Well, it was a market place.

Q. Were they men, women, and children?—A. Oh, they was all together, men, women, and children.

Q. The whites were in no danger from them, were they?—A. I am

satisfied they were not, although they might have been, but I am satisfied they were not.

Q. If they had intended anything wrong when they were fired on they would have fired back, wouldn't they?—A. If they had been like me they would, if they had anything to fire with.

Q. Instead of that they run?—A. Yes, sir.

Q. The whole crowd run?—A. I think they did. I don't know. The last I saw of them I think the majority of them was doing the same thing I was, and I was stepping.

Q. You think you got ahead?—A. Oh, I run fast when I start, especially when I am frightened.

Q. Did you vote?—A. No, sir.

Q. Had you registered?—A. Yes, sir.

Q. Was it your intention to vote?—A. That is what I registered for; yes, sir.

Q. Why didn't you vote?—A. Well, I thought to myself I was not safe in doing so after the fuss got up.

Q. You felt that it was not safe for you to go to the polls and vote on election day?—A. Yes, sir.

Q. And that is the reason you stayed away?—A. That is the only reason.

By Mr. VANCE:

Q. You say when the trouble begun you were about in the middle of the street, in front of Woolfolk & Blair's office.—A. When they commenced fighting?

Q. When the trouble begun, whatever it was.—A. I went there when they first commenced. I was about midway of the street, and went as close as I could get without touching them.

Q. How many white people were there then?—A. At the present time?

Q. Yes; before any lick was struck.—A. When I got to them I reckon there was between twenty-five and thirty, I reckon, that got there the time I did.

Q. Before any lick was struck?—A. Oh, no, sir.

Q. Well, that was my question.—A. Before any lick was struck, I don't know. I wasn't there myself.

Q. They were fighting then when you came up?—A. Yes, sir; my attention was called, as I said, by the men hollering murder.

Q. The white people were on the sidewalk, were they not?—A. Yes, sir; when I got there.

Q. And the colored people were in the street?—A. Yes, sir.

Q. And you got up as close as you could?—A. Yes, sir; without putting my hands on them.

Q. Then there were a good many colored people in the street also, as you could not get further than the middle?—A. Yes, sir.

Q. How many colored people should you think were there?—A. When I got up to them, I should reckon it was between thirty and forty when I got there.

Q. How many of them were women?—A. Oh, I couldn't tell that. I could guess at it.

Q. Well, the best that you can do.—A. I suppose women that was doing the same thing I was, that was looking—I reckon four or five.

Q. How many that were not doing the same thing you were?—A. I couldn't tell that.

Q. There were some there that were doing differently.—A. Were doing what differently?

Q. Were not doing just like you were?—A. Plenty of them; it was market; I couldn't tell what every man is looking at in Danville.

Q. How many children did you say there were there at that time?—A. I couldn't tell that either, because that is something I wasn't satisfied about. If I had known I was to be called up I would have counted everybody there.

Q. Well, you have told us how many men and how many women; now guess at the children.—A. I reckon about fifty of them.

Q. There was only about forty or fifty colored people altogether, and five of them were women and fifty children.—A. I didn't say that. I said I didn't know how many there was. I thought there was between forty and fifty.

Q. Now you say fifty children, boys.—A. I was speaking about men, and now I am speaking about children. Take the whole crowd, men, women, and children, all was between seventy-five or eighty, and about fifty children, I reckon. The street full of children and boys; they seemed to be anxious to see the fight.

Q. Well, it wasn't Hense Lawson that cried murder, was it?—A. No, sir.

Q. It was not?—A. No, sir, I don't think he did.

Q. Had anybody struck Nat?—A. I couldn't tell only when I saw him, he was going running hollering "murder."

Q. Was he a brother or any kin to Hense Lawson?—A. I will not swear whether he is his kin or not, he is not brother.

Q. Did you see any wounds on him?—A. On the one that was hollering murder?

Q. Yes.—A. No, sir; I never noticed to see anything particular about him, and I only thought he was scared because the two men was fighting, scared more than anything else.

Q. Who was it you first heard say, "No man must touch"?—A. The first? I couldn't tell who the first was, but I know he did say so.

Q. Who did say so?—A. Mr. Lea and myself.

Q. And you united with him?—A. Yes, I spoke near the same words. I said, "No, don't nobody touch him. Let them have a fair fight;" and I would say so now if it was done over again. I wanted everything done right and done just and done fair.

Q. After it was over, you repeated the same thing, didn't you? You thought it was a fair fight?—A. I said it a dozen times, I believe. I told Mr. Hatcher so.

Q. Now, who did you see trying to keep the peace; Mr. Booth, I believe, you mentioned?—A. Yes, sir; he came and told me, met me as I was going away, he says, "You all get off the street; get off the street." I says, "Well, sir, I will do so." He spoke to me and I says, "I will go;" and I goes on and met Mr. Holland, the man that got shot. He asked me, "What in the world was the matter?" I says, "There aint nothing but only two men fighting, a colored man and a white man, and the white man whipped."

Q. They had been separated then, hadn't they?—A. Yes, sir.

Q. Now where was Mr. Holland standing when he was shot?—A. I couldn't tell that.

Q. Was he close by you?—A. From the time they say he was shot, I suppose he hadn't got but very few steps from where I left him.

Q. You didn't see him when he was shot?—A. No; I just turned

my back on him. When I was talking with him he was as sound as you are.

Q. Where did you meet him?—A. May be 50 or 60 yards from the office.

Q. When you walked, did you go up or down street?—A. Up the street.

Q. And you met him coming down?—A. He was standing; I came right to him.

Q. When you and he separated, did you move off and leave him standing?—A. Yes, sir; I think I did.

Q. You left him standing?—A. Yes, sir.

Q. You didn't see him any more?—A. No, sir.

Q. How far were you, if you can recollect? You met him near by Garrant's store?—A. Just about Mr. Garrant's.

Q. Now, did you see anybody else—did you hear the policeman trying to get the people to disperse?—A. Yes, sir.

Q. What policeman was it?—A. Walter Withers came down and spoke to me, Mr. Freeman spoke to me, and Bob Adams came down there. He didn't notice me particularly, but went on to part the men.

Q. Did you hear them speak to anybody else but you?—A. Oh, yes, sir.

Q. What words did they use—about the same that they did to you?—A. They didn't use any words to me.

Q. You spoke of some man saying, "You had better get off the street; I am a friend to you."—A. And I say that was Mr. Corbin, who was not a policeman, though.

Q. I know, and if the colored people didn't get off the street there would be trouble, or something.—A. He told me, "You all get off the street; I am a friend to you, and you don't know it." He says, "There is no necessity for all this; get off." I says, "Well, I am going myself, if that will do any good."

Q. Now, you say you heard him or somebody else make the same remark to other colored men?—A. No, sir; I didn't say that.

Q. Did you hear other colored men addressed by anybody in the same way?—A. I think Mr. Corbin did.

Q. Did you hear any reply that the colored men made?—A. I don't think I did; I would hate to say and guess at it.

Q. What I want to know is why didn't the other colored men leave as you did. You listened to the policemen; why didn't they?—A. That is a question I can't answer.

Q. You can give any reason that occurs to you.—A. That's what I can do. They just thought that they wouldn't be hurt, I believe; it don't seem reasonable that a man would stay there if he thought he was going to be shot.

Q. Didn't they see the pistols you saw?—A. They ought to have done it.

Q. Don't you suppose they heard the threats you heard?—A. A portion of them certainly would, I guess.

Q. Then they had reason to think they would be hurt if they didn't leave, hadn't they?—A. When I first left the crowd I didn't leave for fear at all.

Q. You left because you were advised?—A. That's all. I thought such a crowd as that might bring on trouble, and I thought if my leaving would do any good I would leave.

Q. Didn't the colored people keep coming up instead of leaving?—A. Oh, all the time; the excitement, you know.

Q. Did you hear Captain Oliver say anything to the people there?—
A. Yes, I did.

Q. What did he say?—A. He comes up in front of this fellow Davis Lewellyn, and I think he says to Davy, "You are the son of a bitch that was down yonder last night." Davy say, "Why, no; I wasn't down there; wasn't out last night." He says, "Well, then, I ask your pardon." Davis says, "Well, you called me a son of a bitch," and I says, "Davis, my God! hush man; if a man asks your pardon, he can't do any more," and Davis says, "Well, he called me a son of a bitch for nothing," that is his reply, and I says, "Well, I don't care what a man says to me, if he asks my pardon I am done," and that's all the words that passed.

Q. The men had been separated when Adams came up and seized that pistol in Lea's hand, hadn't they?—A. No, sir.

Q. Had not an officer hold of them, trying to separate them, at that time?—A. I think he was; I think he was about taking hold of them.

Q. What officer took hold?—A. Bob Adams, the colored policeman.

Q. He took hold of Lawson, didn't he?—A. I think he took hold of both of them. He went up just like a man would like he would take hold of both.

Q. Wasn't there some white men that took hold of Mr. Noel?—A. I am not certain; I will not say; there was a good many up all round them you know as close as they could get.

Q. And they fell on the ground in the struggle over the pistol?—A. Yes, sir; they both fell; think they fell on their hands.

Q. When they were down on the ground, do you recollect whether the pistol was fired then or after they both got up?—A. I don't think any pistol fired down on the ground; although it might, but I don't think so.

Q. Do you think the pistol was fired directly at Adams?—A. I do; oh, yes; oh, bless you, yes.

Q. How far was Adams away when Lea fired?—A. By the time Mr. Lea got up; I suppose Adams was thirty or forty feet off.

Q. Thirty feet.—A. Fully; he was running.

Q. Apparently he didn't hit him?—A. What?

Q. You didn't see any sign that he was hit?—A. No, sir; I didn't; I only thought he struck him.

Q. In a few seconds Adams was back in the crowd?—A. Yes, sir; he came back up there looking like a man that was scared, and I heard him say, "Yonder is the man that shot at me;" I heard him say that.

Q. Didn't he use some violent language and say yonder is the damn scoundrel that shot at me?—A. No, sir; he might have done it, but I don't think he did; he might have done it though.

Q. Did you hear any of the colored people say that this thing had to come, and they might as well have it out right there?—A. No, sir.

Q. Didn't hear anything of that sort said?—A. No, sir; it was all unexpected to me; if I had any idea of such things I could have seen no doubt and heard some, but I was not, but I wasn't studying after anything at all. I was not studying about anything only two men fighting.

Q. You say when the main firing had begun the whites had stepped off the pavement on the street?—A. A great many did.

Q. They were not all off the pavement though, were they?—A. Oh, no, sir.

Q. You think there were about one hundred whites present?—A. When the firing commenced I believe they came from every direction; the white people were as much excited as the colored.

Q. You think you saw about fifty pistols in the hands of the white people?—A. I think I did before the regular firing commenced; I think I did.

Q. How many pistols did you see before the firing?—A. I saw, well, before the regular firing I saw the men that drew the pistols; but when I first went there I saw three pistols only.

Q. Who had them?—A. Mr. Lea had one, and this other gentleman I can't remember.

Q. Taylor?—A. Yes, sir; and this colored man Davis Lewellyn had his pistol in his pocket; I saw this, because I went to speak to him, and his pistol was in his pocket. In a very few seconds afterwards of course a crowd gathered around, and I saw this number of pistols; I reckon there may be fifty; there may be more, or may be less; I don't know; didn't count.

Q. Don't you think you could have voted safely on the Tuesday following if you had wanted to?—A. I might have been safe; I couldn't tell; I don't know. It might have been ignorance on my part, I am sorry to say, but I was a little scared; I don't like to say I am scared.

Q. You have to own it up?—A. Yes, sir.

Q. Now didn't the town authorities and the leading citizens of both parties assure you of protection, and the governor send troops there, and didn't that reassure you?—A. It seemed like that was plenty, but I thought I would rest off that day.

Q. But that was enough to reassure a reasonable man, wasn't it?—A. I think it ought to be to civilized people. I believe now, since that, I ought to have voted, because I believe it was enough to protect civilized people.

Q. How often had you voted in Danville?—A. I couldn't tell that.

Q. Ever since you have been allowed to vote?—A. I have been in Danville over nine years; may be not, may be more.

Q. Well, you voted every time at election?—A. Oh, yes; I voted every time on election days.

Q. Had there heretofore been any trouble about voting?—A. I don't think there was; no, no disturbance at all. I don't think; no more than this crowd at the polls at election.

Q. Oh, yes; people hanging around and getting all the votes and hurrahing, and so on; but there had been no disturbance of any colored man's right there to vote for many years before?—A. I don't think there has; not since I have been there; because I usually knock around the polls all day long.

Q. Do you still live in Danville?—A. Yes; oh, I likes it.

Q. Are you afraid to go back there?—A. No, sir.

Q. What employment do you follow?—A. I work in a tobacco factory.

Q. Did you see during the fist fight between Noel and Lawson any foul play used by anybody?—A. When I got there there wasn't but them two men fighting.

Q. I say did you see any foul play; did you see anybody take hold except those two?—A. I don't think I did.

Q. Did either of them use weapons?—A. If they did I didn't see it; I never noticed. I was as close to them as I could get without putting my hands on them.

Q. Did you see Lawson after the fight was over?—A. Yes, sir.

Q. Was he badly hurt?—A. Well, his face was bloody. I couldn't tell what color he was.

Q. His face was bloody?—A. Yes, sir.

Q. Bruised up pretty much?—A. Yes, sir.

Q. Which was the longest-armed man?—A. Noel; Noel was up over him.

Q. Well, a long-armed man can get hold and pound him and hold him off and the short can't reach him?—A. They say they can't, but I don't like to state that, because I am a short-armed fellow and they might take hold of me.

Q. You don't want that fact known?—A. No, sir.

Q. One of the witnesses said Noel had a bowie-knife in one hand and was beating him with the other. Did you see a bowie-knife in his hand?—A. I don't believe that; he didn't have any bowie-knife in his hand when I got there.

By Mr. LAPHAM:

Q. How were Taylor and Lea holding their pistols?—A. They were holding them up.

Q. Up by Noel's head?—A. They were holding them up so. [Indicating.]

Q. Did they stand by the side of Noel?—A. Right at him; me and them was close together.

Q. Did you hear what Lea or Taylor said as they held up their pistols?—A. They said, "Stand back; stand back; no man touch."

Q. Did you notice whether Noel had anything on his knuckles?—A. No, sir; I didn't think about it.

Q. You don't know whether he had or not?—A. No, sir; I didn't think about it.

Q. You saw that Lawson's face was cut, didn't you?—A. Oh, yes; badly.

Q. Badly cut?—A. Yes, sir.

Q. Did you know whether one of his eyes was closed up?—A. I don't know particularly, but I think it was, because the way it was it seemed like it was all over. I don't think he could see very good; I don't think I could if the blood was all over my face that way; but I can't say.

Q. How long is it since the poll-tax was imposed upon voters there; how many years since that became a law?—A. I am sorry to say I don't remember; it hasn't been long though; it isn't a year or two may be.

Q. No; when the law was first passed requiring a poll-tax to entitle them to vote?—A. Well, that has not been very long; but I am sorry to say I don't know.

Q. How long since that ceased to be a law; have you had any election since the poll-tax was taken off the people?—A. Oh, yes.

Q. How many?—A. May be one or two.

Q. Do you remember but one; had there been but one election after the removal of that before last fall?—A. I don't think there had.

Q. That enabled the colored people to vote freely, didn't it; the removal of that tax?—A. Oh, yes.

Q. How near was the scene of this fight to the market?—A. It is near the market; it is off on the opposite side of Main street; I reckon about may be 50 yards from the corner.

Q. Is it in Market street?—A. Not exactly.

Q. I mean is the market in Market street?—A. Yes, sir; of course.

Q. And this was a little out of Market street; a little way up Main street from the junction?—A. Yes, sir.

Q. Now it was the custom of the colored people Saturday afternoon to come there for marketing, wasn't it?—A. Yes, sir; you can hardly

pass down the market Saturdays at 4 o'clock, on the streets; but they are very narrow you know.

Q. Crowds of people there?—A. Oh, yes; you can hardly pass for them.

Q. Mostly colored people?—A. Yes, sir.

Q. That was well known, that Saturday afternoons colored people come there to get their supplies?—A. Yes, sir; if it had been any other day I believe you wouldn't have had one-third of them there; I don't think you would.

Q. Which direction did the white people come from chiefly? You say they kept running up there?—A. The vast majority of them come from the opera house.

Q. A politician's assembly, wasn't it?—A. I think they had a meeting there.

Q. They had a political meeting there?—A. I think it was; yes, sir.

Q. And it was that class of people that came from the opera house?—A. Yes, sir.

Q. Coming from the opera house they would come right to the sidewalk where this line was formed, wouldn't they?—A. Yes, sir; that was the way to go as they go up town.

Q. And there they kept gathering you say up to the time you left?—A. Yes, sir; they was coming from every direction for about three-quarters of an hour, I have no doubt.

Q. They kept increasing in numbers until you ran away?—A. Yes, sir.

Q. Are you able to say how many were there at the time you left?—A. No, sir; I couldn't tell at the time I left how many were there.

Q. Give your judgment about it.—A. When I left the place there was, I reckon, most all of them out of the opera house; I reckon most of them; there might have been two or three hundred got there before I left.

Q. White people?—A. Yes, sir.

Q. Grown people, were they not?—A. Yes, sir.

Q. They were not boys and they were not women?—A. Oh, no; there wasn't any ladies at all out there; I didn't see a one that afternoon.

GEORGE W. WEST sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived there?—A. Ten or twelve years.

Q. What is your occupation?—A. I am a huckster in the market.

Q. Where were you at the time of the commencement of this riot in Danville on the 3d of November?—A. On the market.

Q. How far from the place of the fist fight?—A. About the middle of the market; the market don't extend very far.

Q. About half way down the square?—A. Yes, sir.

Q. About how many feet or yards?—A. It may be a hundred yards.

Q. Were there many people in the market at that time?—A. No, sir; not a great deal.

Q. About what time in the day was it?—A. About 3 o'clock.

Q. From the time you first heard the alarm tell what occurred; what you saw and heard?—A. I was there when the shooting commenced; some one said there was fighting.

Q. You were first in the market; what called you to go up?—A. Some

one came down and said some one was fighting up there, and I had a curiosity to go up.

Q. And you went up?—A. Yes, sir.

Q. How far up did you go?—A. Smack up to the crowd.

Q. How near were you to Lawson and Noel?—A. I didn't see them.

Q. You went up to the crowd of colored people in the street?—A. I did.

Q. Were they fighting when you got there?—A. No, sir.

Q. The fight was over?—A. The fighting was over.

Q. Had you any arms, pistols, or weapons of any kind?—A. No, sir.

By Mr. LAPHAM:

Q. Didn't carry your butcher knife along?—A. No, sir.

By the CHAIRMAN:

Q. What did you see?—A. I saw somebody shooting down.

Q. How long after you arrived there?—A. Probably a minute or two.

Q. Who did you see shooting?—A. I can't hardly say particularly; I saw some gentlemen have pistols in their hands.

Q. Were they drawn up in line?—A. They was on the sidewalk, but I was in the rear at first, and then I walked round up on the sidewalk right behind them. I was standing at the time of the shooting right at Woolfolk & Blair's insurance office.

Q. Just in the back of the white people?—A. Yes, sir.

Q. Could you see the crowd of colored people in the street?—A. Yes, sir.

Q. What caused the first firing? Did you hear any order given?—A. I heard some one say, "You all leave here; all get off." I don't know who that was.

Q. Who was that said to, the white people or the black people?—A. The white people seemed to say it.

Q. What then?—A. I couldn't hear what the blacks said, the crowd rushed right in front.

Q. Did the firing take place then?—A. Yes, sir.

Q. Did you hear the order to fire given by any one?—A. I heard some one, appeared to be in the office, say, "Go ahead when you get ready."

Q. Then you say the firing commenced?—A. Yes, sir.

Q. How many fired?—A. I don't know; It looked like all fired they were firing so fast.

Q. Did they continue to fire one shot after another from their pistols?—A. All shooting.

Q. Right along?—A. Yes, sir.

Q. How many white people were there with pistols in their hands?—A. I really couldn't say; don't know whether they all had pistols or not, but it appeared to me a good many did; then the people commenced running up from down street, and running down from up street.

Q. The white people or the colored?—A. The white people.

Q. Where did they come from?—A. I don't know; it looked like they came out of stores.

Q. Came in and joined the white people in the crowd? When the white people commenced firing did you notice the black people? Could you see them plainly?—A. Yes, sir.

Q. Had they any arms?—A. I didn't see any.

Q. Could you have seen them if they had arms?—A. Yes, sir; because I left them and went round on the other side.

Q. Were they excited?—A. It didn't seem that they were.

Q. Had they any sticks, any arms of any kind?—A. I don't think they had.

Q. Who composed the crowd? What kind of people?—A. White and colored.

Q. I mean there in the street.—A. The colored people in the street.

Q. Were there any white people among them?—A. Probably some might have run up like I did in the rear there.

Q. You didn't notice that they were white people?—A. No, sir.

Q. Were they men, women, and children?—A. Yes, sir; seemed a mixture of all kinds.

Q. Such people as gather there at the market place?—A. Yes, sir.

Q. What did they do as soon as they were fired upon?—A. They run.

Q. Which way?—A. Some run through the market; some went up Main; some went into stores, that could.

Q. How long before they were dispersed?—A. The time they commenced firing.

Q. They scattered?—A. Yes, sir.

Q. Did you see any return fire from the colored people?—A. No, sir.

Q. Could you have seen it if it had occurred; could you have heard it?—A. I couldn't tell, by there being so many shooting right there in front of me.

Q. Could you look over and see them?—A. No, sir; I was standing back against the house and they were all in front of me, and then as soon as the colored run the white people run after them.

Q. Followed them?—A. Yes, sir.

Q. How far did they follow them?—A. I don't know. I didn't stir until they all went away; then I walked down.

Q. How far did they advance; to the corner of the market?—A. They got out of sight.

Q. Went down toward Market, did they?—A. Yes, sir; and some up.

Q. And then turned to the right and left?—A. Yes, sir.

Q. Did you hear the white people call upon them to disperse?—A. They might have said that before I got there.

Q. You don't know?—A. No, sir.

Q. Did you hear any cry about "come on, boys," &c.?—A. I heard one man say, "Go ahead when you get ready;" I don't know who it was.

Q. How soon after that did the firing commence?—A. Right away.

Q. Where did you go then?—A. I stood there.

Q. After the colored people dispersed where did you go?—A. I went to my room.

Q. Went back to your room or to your place of business?—A. Went to my room.

Q. Is that the same as your place of business?—A. Right in front of it and across the street.

Q. When the white people were advancing toward the colored people and they ran, did they continue firing?—A. Yes, sir.

Q. How long, probably, did this occur from the first volley until the close of the firing?—A. I don't know; I couldn't say.

Q. You remained, however, at your place until the whites were following?—A. No, sir; I got there just before they commenced firing.

Q. I know; but you remained where you stood against the house until the firing had ceased and the whites had all gone and left the coast clear, and then you went to your room?—A. I went down street about three doors, I guess.

Q. Did the whites continue to fire until they all disappeared?—A. Yes, sir.

Q. Did you register?—A. Yes, sir.

Q. Did you vote on the day of election?—A. No, sir.

Q. Why didn't you vote?—A. The colored people generally said they wasn't going to vote; they were afraid to go to the polls.

Q. Was that fear in consequence of these events on Saturday?—A. I suppose so.

Q. Was there any other ground of fear that you know of?—A. No, sir.

Q. What is your market day? Is Saturday your market day in Danville?—A. Yes, sir.

Q. That is the time when the laboring population generally gather there for their marketing, is it?—A. Yes, sir. Well every day the market is open.

Q. Is Saturday more a market day than other days?—A. Yes, sir.

Q. And there is a crowd there generally Saturday afternoon?—A. Yes, sir.

Q. When is the crowd generally the largest?—A. At 4 o'clock the crowd generally principally comes strolling through the market and buying goods.

Q. That is a well-known fact, I suppose?—A. Yes, sir.

By Mr. VANCE:

Q. Who was it said back in the office, "Go ahead when you get ready"?—A. I don't know.

Q. Did you see anybody in there at all?—A. I didn't pay much attention; I was watching; I didn't look back; I was standing with my head right to the side of the door.

Q. Didn't see anybody in there?—A. Yes; I saw one man that I know well, too.

Q. Who was that?—A. His name was Mr. Dance.

Q. Where was he?—A. He was standing in the door.

Q. What did he have in his hands?—A. He had a double-barrel shotgun.

Q. Was he the man that gave the order?—A. I don't know whether it was him or not.

Q. Did you see anybody else in there?—A. I don't know; I just saw him standing right at the door.

Q. Did the voice come from the inside or from the door?—A. I couldn't say.

Q. Are you right sure it came from anywhere?—A. Yes, sir.

Q. You heard it?—A. I heard the voice.

Q. Yes; "Go ahead when you are ready."—A. Yes, sir.

Q. Did you see those boxes of pistols in there?—A. I didn't go in.

Q. Did you see people going in and helping themselves to pistols?—

A. I didn't have any idea any pistols was about there.

Q. Did not?—A. No, sir.

Q. Didn't see people step in, get pistols, and come out?—A. No, sir.

Q. But you were standing right jam at the door?—A. Yes, sir.

Q. Not in front of it; to one side?—A. One side of the door.

Q. And you stood there during the whole fight?—A. Yes, sir; until everybody ran away; then I went down and went to my room.

Q. No white men offered to interrupt you?—A. No, sir.

Q. Did you know the white men that were engaged in the fight?—A.

I knew a great many that was in the crowd; I don't know whether they were fighting or not.

Q. Were they on the sidewalk?—A. Yes, sir.

Q. You say the fist fight was over before you got up there?—A. Yes, sir.

Q. What was the crowd doing when you got up?—A. Just standing there.

Q. Were they saying anything?—A. I don't think I heard anything from the colored people.

Q. Of course not, they never do anything; but what was this crowd of miserable white wretches doing?—A. They were standing on the sidewalk.

Q. What were they saying?—A. I only heard them say, "You all better leave here."

Q. The colored people better leave?—A. Yes, sir.

Q. Why?—A. I don't know.

Q. Didn't they give any reason why they better leave?—A. I didn't hear it; I don't know whether they did or not.

Q. Did you hear any more than one man say you all better leave?—A. The crowd generally was; some saying one thing and some another; but I heard a voice say "You all better leave here."

Q. What did the others say?—A. Never said anything that I heard.

Q. You said, "Some said one thing and some another."—A. Well, I suppose talking about different things.

Q. Oh, tell it all to us. Did you see any man trying to make peace?—A. I saw Bob Adams was trying, and Withers telling them to stand back; get back and leave; trying to disperse the crowd.

Q. Which Adams was that?—A. Robert Adams.

Q. Who was the other man?—A. Withers.

Q. And they both said to get back?—A. Yes, sir.

Q. Now, did they give any reason to the crowd why they should get back? Did they say "you will get hurt," and "let's not get into this trouble?"—A. I was there such a little while I really didn't hear.

Q. You were there all the time?—A. The time I got there the firing had commenced.

Q. No it had not commenced when you got there.—A. I was there such a little while before it commenced.

Q. Did you see Captain Oliver?—A. Yes, sir.

Q. Did you hear him say anything to the crowd?—A. I don't know that I did; he was standing right in front of me.

Q. Did you see Peter Booth, and did you hear him say anything to the crowd?—A. No, sir; I think not.

Q. Did you see Mr. Corbin?—A. No, sir; I didn't see him.

Q. You didn't hear anybody, except this man you mentioned—this voice you mentioned—begging the people to go away, and perhaps the white folks would go away if the colored would?—A. I reckon that's what he meant by it.

Q. You didn't hear him say it?—A. No, sir; I don't think I did.

Q. Did you hear the colored people make any response at all?—A. No, sir.

Q. When they were appealed to to go away, they just stood their ground and didn't say one word why they wouldn't go away, nor anything?—A. Just stood there, so.

Q. Did they move about any?—A. No; the crowd continued to come up behind.

Q. And that pressed them forward toward the gutter, didn't it?—

A. They were a good distance from the gutter ; as far as from here to that desk.

Q. Well, they came closer and closer, didn't they ?—A. There was so many in front of me, I really couldn't say.

Q. Who was in front of you, white people or colored ?—A. White.

Q. They were between you, then, and the colored ?—A. Yes, sir.

Q. You could not tell how close the front line of colored was to the white men, then ?—A. No, sir.

Q. How many women did you see there ?—A. I don't know.

Q. Give a guess.—A. It was a kind of mixed crowd of colored people.

Q. You know most of the people that were there, don't you ?—A. I didn't pay any attention to it.

Q. What did you pay attention to ?—A. I went up to see what kind of a row it was.

Q. Did you see any women there at all ?—A. I never noticed any.

Q. You told Senator Lapham you saw women and children there ?—A. I believe there was a mixture.

Q. Now, you say you didn't notice any women ?—A. I say I didn't notice particularly.

Q. Did you see any little children there ?—A. Yes, sir.

Q. Where were they ?—A. They were running at the time I run up.

Q. Did they press in the front between the white men and the black men, or did they go to the skirts of the crowd ?—A. I never noticed, but just walked round the crowd and got upon the sidewalk.

Q. And you don't know what became of the boys ?—A. No, sir.

Q. And didn't notice the women ?—A. Didn't notice particularly.

Q. How long after the firing began before the colored people ran ?—A. Commenced right away, I think.

Q. Commenced running right away ?—A. Yes, sir.

Q. How long before they all got away ?—A. Oh, no time ; probably a minute.

Q. How long after they all got away before the firing stopped ?—A. I reckon the firing held a little over a minute, probably more ; not much over.

Q. What did they shoot at after everybody had gone ?—A. Well, they run too.

Q. They run too, did they ?—A. Yes, sir.

Q. Where did they go ?—A. Divided themselves up ; some went up and some went down.

Q. Some went up Main street and some went towards the market ?—A. Yes, sir.

Q. Firing as they went ?—A. Firing as they went.

Q. Did you see any one of them firing up in the air ?—A. It frightened me when they commenced ; I didn't pay much attention to them to see which way they were shooting.

Q. You were so badly scared you didn't see which way they shot ?—A. I wasn't scared.

Q. You were not scared but frightened ?—A. Yes ; I was kind of skittish, because I didn't have any idea that there was going to be anything of the kind.

Q. Did you see Mr. Holland ?—A. No, sir.

Q. Didn't see him get shot ?—A. No, sir.

Q. Did you see any bullet marks on the wall behind where the white folks stood ?—A. Yes, sir : I saw one down at the "Border House ;" two right there.

Q. What do you call the "Border House;" is that Nicholas & Hess berg's?—A. Yes, sir.

Q. Did you see any at Woolfolk & Blair's office?—A. Never noticed any there.

Q. Did you see any weapons in the hands of the colored people at all that day?—A. No, sir; I did not.

Q. When the firing began I suppose you didn't look to see who had weapons?—A. No, sir.

Q. You, being a dealer there in the market, have a pretty large acquaintance with the colored people, haven't you?—A. Yes, sir.

Q. Do you know any colored man that owns a pistol?—A. Oh, yes; I know a great many that owns a pistol; I have been to their rooms a great many times and saw some of them have pistols.

Q. You say you have been to their rooms and seen a great many own pistols, but don't know whether they had them out that day or not?—A. No, sir; I don't know.

Q. You saw a great many have guns, too?—A. Yes; some have guns that I know of.

Q. The colored people do a great deal of hunting, don't they?—A. Some of them do.

Q. There are more of them who hunt than there are of white folks, are there not?—A. No, sir; I think not.

Q. You think not?—A. I am satisfied not.

Q. Don't a great many hunt for a living, and bring game in to sell?—A. I have never seen any of them do that.

Q. You say there was no excitement in the crowd among the colored people?—A. Not that I noticed.

Q. Was there any excitement among the white people?—A. Enough to draw them together there, both white and colored, I reckon.

Q. Well, the same excitement drew both together, didn't it? Both colors.—A. Yes, sir.

Q. Did you see any gesticulation among the colored; raising up of arms; moving around?—A. No, sir; I didn't see it.

Q. Hands going this way? [Indicating.]—A. No, sir; I did not.

Q. All perfectly serene and lovely in the colored ranks?—A. Yes, sir.

Q. Did you vote Tuesday?—A. No, sir.

Q. What was the matter with you?—A. Well, I heard a great many of them say they wasn't going to vote that day.

Q. And you concluded you would not vote that day?—A. And I staid at my place of business.

Q. Were you afraid to vote?—A. No, sir.

Q. Was there any understanding that it would be better for your party not to vote?—A. Well, I just heard—I suppose that was the feeling—sort of thinking it might occur again.

Q. Did you hear say that it was better for the party not to vote?—A. No, sir.

Q. Never heard anybody talk that way?—A. No, sir.

Q. Never heard anybody talk of throwing out the election because of the riot and making that the excuse for not voting?—A. No, sir.

Q. Never heard of it?—A. No, sir.

Q. Don't you think with all the preparations made there to keep peace that it would have been safe for you to vote if you wanted to?—A. Yes; I suppose there was enough there.

Q. Every assurance was given that could be given, wasn't it?—A. Yes, that day of the election.

Q. By both parties?—A. Yes, sir.

WILLIAM MIVINS sworn and examined.

By Mr. LAPHAM :

Question. Where do you reside ?—Answer. Danville.

Q. How long have you been there ?—A. Seven years.

Q. What is your occupation ?—A. Barber.

Q. Were you following your vocation on the 3d of November, at the time of the riot ?—A. Yes, sir.

Q. How far and in what position is your shop from the scene of this riot ?—A. About two squares.

Q. Did you see anybody loading pistols in the morning before the riot or the day before the riot ?—A. I saw a couple loaded during the day.

Q. Where ?—A. In the shop.

Q. Can you name the parties who were loading them ?—A. They didn't have anything to do with the riot ; I am satisfied of that.

Q. You can give their names ?—A. One of them was a gentleman by the name of Mr. Traver ; the other was a Mr. Jefferson.

Q. Did they tell you anything about keeping off the street that afternoon ?—A. Either one of them gentlemen ?

Q. Yes, or any one ?—A. No, sir ; neither one of them did.

Q. Did any one tell you that ; warn you ?—A. Oh, I believe there was some rough crowd in the morning talked to me, and they were telling me I had better not be out on the street that day.

Q. Who told you that ?—A. Some other crowd.

Q. White people or colored ?—A. White people.

Q. You are under oath now, and you ought to tell the truth, and you are bound to answer the questions truthfully. I ask you if Mr. Hatcher was one of those persons ?—A. No, sir.

Q. Who were the persons who told you ?—A. I don't know their names ; I have so many people, I have a good many customers, and so many people coming in the shop, it is hard to tell their names.

Q. But some of the white people told you you had better keep off the street that afternoon ?—A. Yes, sir.

Q. Did you follow their advice ?—A. I did ; I staid in my shop and worked. It was Saturday ; I have a good trade on Saturday.

Q. How many men did you see in your shop that day with pistols ?—A. I saw several ; I don't know exactly how many.

Q. Were your customers generally armed that day ?—A. Yes, a great many of them.

Q. Are your customers white people ?—A. Yes, sir.

Q. Entirely ?—A. Yes, sir.

Q. When you saw them load their pistols that day, did they tell you why they loaded them there ?—A. Mr. Traver told me the reason why he was loading his was, he didn't want to get hurt and didn't want to hurt anybody, but would like to have protection, provided if anything should happen. He lives in North Danville, and was going back home.

Q. He didn't want to hurt anybody, and didn't want to be hurt ?—A. He didn't want to hurt anybody, and didn't want to be hurt.

Q. How many persons told you to keep off the street that afternoon ?—A. I don't know ; there was some several. I run on with a great many gentlemen that come to the shop and talk.

Q. Was there much excitement in the street that day before the riot ?—A. Well, I am off from the main street about a square.

Q. I mean among the people that came in ; was there much talk about trouble that day ?—A. I didn't take much notice of them.

Q. Except what was said to you?—A. Yes, sir.

Q. Did you see anything of the fight or riot?—A. No, sir, I didn't; I was at my work.

Q. How many did you see with arms that day in your shop; how many pistols?—A. I don't really know how many; I never took very particular notice of them, because in the morning Mr. Traver and Mr. Jefferson, very particular friends of mine—me and Mr. Traver just talking——

Q. How many persons did you see with pistols, though?—A. I say I saw several, but don't know how many.

Q. Could you see their pistols when they sat in your chair?—A. A great many gentlemen when they come in, you know, pull off their coat and go to the rack and hang it up, and you can see pistols. In fact I don't think many in Danville but what had pistols; most all of us carry pistols in Danville, white and black, little and big.

Q. What proportion of your customers carried pistols that day; I want you to name some of them?—A. I told you just now the only ones I took particular notice of was Traver and Jefferson, and the reason why I speak of them they were loading their pistols on the table, and were talking to me, and Mr. Traver said he didn't want to hurt anybody, and didn't want to get hurt.

Q. Did any person open their pistol box?—A. Mr. Traver's was in a box.

Q. Were there any pistol boxes left with you on that day?—A. Why, there was some one or two boxes left there. I just took them and put them away; thought I might have some use for them to put things in.

Q. Each pistol had a box, had it; were they paper boxes?—A. Little paper boxes.

Q. Did they leave them with you to be kept for them?—A. No, sir; they just left them on the table there.

Q. Were they new boxes?—A. Yes, sir.

Q. They didn't come for the boxes again, did they?—A. No, sir.

Q. Just paper boxes?—A. Yes, sir.

Q. How many were left with you?—A. Some two or three. I believe I have a couple now; thought they might be useful to put little things in.

Q. They were left with you that day?—A. Yes, sir.

Q. Is it a usual circumstance for them to bring their pistols in there and leave the boxes with you?—A. No, sir; I don't know as it was. When the shooting took place I run down-stairs in the cellar to get out of the way.

Q. What was the language used by these persons in telling you you must not appear on the street that day? Did they tell you what was to occur?—A. Oh, no, sir.

Q. Did they say anything that indicated it?—A. That was not Mr. Traver.

Q. I don't speak of him, but those persons who told you.—A. No, sir; because I didn't take much notice of it; wasn't thinking much of it.

Q. What did they say; what language did they use?—A. They told me I had better stay in my shop and attend to my business and not be much on the street.

Q. Why not on the street?—A. I didn't ask them.

Q. Did not you have curiosity enough to ask that?—A. No; I just thought they were joking; something of that kind.

Q. Did Mr. Hatcher load his pistol in your shop?—A. No, sir.

Q. Did you state to any one that Mr. Hatcher had loaded his pistol

in your shop?—A. I don't know whether I did or not; if I did I made a mistake.

Q. Did you ever say you had six or seven boxes left with you that day?—A. I said there was several boxes left; I know I have a couple of them now.

Q. You don't now undertake to say how many?—A. I don't now, because I don't know; when the shooting took place I ran down-stairs.

Q. You are a barber, that is your business I suppose, and these are your customers?—A. Yes, sir.

Q. Did any one tell you that day that there was going to be trouble that day in Danville?—A. No, sir; not that I know of; I never took notice of it; it might have been; I won't say whether they did or not.

Q. Did you tell any one that they had told you so?—A. I don't know whether I did or not; I got very scared that day.

Q. What was your scare for?—A. When the row took place.

Q. But before, was there anything that scared you?—A. No, sir.

Q. Was there anything said to you that made you anticipate that there was to be trouble that day?—A. No, sir; I never thought to be any firing.

Q. Were any of these pistol cases left with you before at any time?—A. No, sir; no pistol cases; there's mighty few men comes in the shop that aint got a pistol.

Q. I mean these boxes?—A. I say there never was any one left there before.

Q. Did not that excite your suspicion?—A. No, sir.

Q. Didn't you ask them why they did this?—A. No, sir.

Q. You did not when they told you you better stay in your shop that day and not appear on the street; you didn't ask them why?—A. They didn't tell me not to appear on the street; said I had better not be on the street much; some of them did.

Q. Did Frank Jefferson tell you you had better stay in the house?—A. He told me that while the shooting was going on, he was shaving.

Q. He was shaving while the row was going on. Did he tell you before that?—A. No, sir.

Q. Did he tell you the ball was then going on, or words to that effect?—A. I believe he said the ball was opened, or something like that.

Q. And you continued shaving while the firing was going on, or did you stop?—A. I stopped shaving because I was excited and scared, and I got nervous. I was not shaving him, I was shaving Mr. Traver, and he saw I was nervous, and told me I had better stop shaving him while I was so nervous.

Q. Where did they go?—A. They remained there until I finished shaving, and then got up and went away.

Q. Was that before or after firing?—A. They went out directly after; the firing had ceased, I think, just about the time I got through shaving.

By Mr. VANCE:

Q. Did you see any marks of pistol bullets on the side of your house?—A. No, sir; my house is two squares from where the shooting was going on.

Q. Wasn't you in the barber shop there by Nicholas & Hessberg's?—A. No, sir; I am on Raglan street.

Q. You say these young men, Traver and Jefferson, were getting shaved when the firing was going on?—A. Yes, sir; just sitting there.

Q. And they finished shaving before they got out?—A. I stopped

shaving and run down cellar, and he knocks on the floor and I come back.

Q. They didn't rush up and take part in the fight then?—A. No, sir; I don't know whether they went up there when they went out of the shop or not, because I didn't look at them after they got out of the door.

Q. Before they got ready, the firing had ceased?—A. Yes, sir.

Q. You say nearly everybody carries a pistol in Danville, white and black?—A. Yes, sir; white and black.

Q. Well, these persons advised you to keep off the street that day; there was a good deal of excitement in town that day, wasn't there?—

A. Oh, yes; there was a mighty rough crowd in that part of the town, around in the bar-rooms.

Q. But wasn't there a good deal of excitement and talk about Mr. Sims's speech?—A. Yes, sir; there had been on Friday night; everybody that came in the shop was talking about it.

Q. They didn't give you any particular reason. Do you suppose it was because of the excitement between the races that they advised you not to go out on the street?—A. No, sir; because I didn't ask any. I never vote. I never ask anything about politics, or anything in any way.

Q. You don't vote?—A. Never voted in Danville in my life. I don't ask any questions at all.

Q. How long have you lived in Danville?—A. I have been there about seven years.

Q. Before this trouble, what has been the general disposition between whites and blacks; friendly or unfriendly?—A. Well, sir, I hardly ever have much to do with them, because I live about four miles in the country, and every Saturday night, when my business is over, I get on my horse and go home, and come back Monday morning and go back to my business and stay there.

Q. Has there been any trouble between the whites and blacks before this?—A. Not that I know of.

ADDISON COLES sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. I have lived there ever since three years after the surrender.

Q. Do you mean the surrender of Lee to Grant?—A. Yes, sir.

Q. What is your business?—A. My regular business is working in a tobacco factory.

Q. Have you a family?—A. Yes, sir.

Q. Do you live in the city?—A. Yes, sir.

Q. Where were you on the 3d of November last?—A. I was in Danville; in the street part of the time.

Q. Well, in the afternoon?—A. In the afternoon, about 4 o'clock, I came down street from my house.

Q. If you saw any of this contest go on and describe it without my asking you questions.—A. I came up Union street. Right on the corner of Union and Main street I stopped, right at Motley's office, I think book-store. I think it is Elison & Motley. I stopped on the corner of his book-store. I was starting down the street to get my rations, as people generally do on Saturday evening.

Q. Get what?—A. My marketing, as people generally go of Saturday evenings, and as I came out on the street I started across the street.

Q. Across which street?—A. Across Main street, from the corner of Union and Main; I started across the street.

Q. Going across to Market street?—A. I was going across Union street where it comes right across Main. I did start, and I happened to look down the street and I saw what looked like a great excitement of the people out on the street, and I stopped then at once. Seeing such excitement I stopped for a few minutes right by the side of a lamp-post to look down the street to see if I could gain any information of what was the excitement down the street. A short time after I stopped there I heard a pistol fired.

Q. A single pistol?—A. I didn't see.

Q. One pistol?—A. I didn't hear but one shot at that time, and seeing so many people on the street there, I stopped and didn't go any farther down that way; I stood right at that corner during the whole firing; after that I didn't go away from there at all at that time. As well as I could come at it, about ten or fifteen minutes after I heard that first shot I heard a great hurrahing down the street. It looked like you had taken a pack of squibs and thrown them into a flour-barrel. You know how squibs would pop if you throw them into a flour-barrel and throw fire amongst them.

Q. A rattling shot?—A. Yes, just like rattling shot; I saw a good deal of smoke going upwards; I didn't see any pistols, but I heard them that was right below me down there just opposite to Mr. Blair & Woolfolk's office and Mr. Jones's drug-store.

Q. How far from where you were standing?—A. I was up on the corner.

Q. How far was it from where you were standing down to where this smoke and firing was?—A. It probably may be 60 or 70 yards. Probably more than that. I won't be positive, but it is about that distance, I think, from the corner.

Q. Go on and state what farther you saw.—A. I staid there, as I told you, about ten minutes after that. I heard this great noise of shooting down there, and I saw the people commence to break and run. I still stood there.

Q. What people?—A. The colored people what was in the street. Probably there might have been some white people. The streets seemed to be crowded, all out in the middle of the street, just in front of Mr. Jones's drug-store and in front of Blair & Woolfolk's office. There's where the crowd was, and I was up at the corner and stood looking at it. When I see a crowd that way, I never rush up in it until I find out what it is about. I never like to be in a fuss. If I can stay out, I like to do it. I looked on and saw a good many people come running out of the street after that firing commenced down below. I saw a good many going down the street. I saw some run across to Market street. I saw some running at the other end, right opposite the market, and a lot of them came up the street by me. After that firing, while it was not over, as I told you, over ten or fifteen minutes, I still stood down there by that lamp-post; didn't go away from there at all. I saw Mr. Cabell come up the street, and went near the old post-office steps and got up on the steps and threw up his hands just so. [Indicating]. He said to them all, "You must keep still; this is a shame, the way you all are carrying on here," or something of that kind. At that time there was another white gentleman—I still stood there at that post; in the time of the firing there was a horse ran away down the street, run right

up to that post where I was standing, and after that horse ran up to that post I had to get away from that post a little way to keep from being hurt by the wagon. The horse ran betwixt me and the corner of that store, and as he ran betwixt me and the corner he hung the wagon right against the post I was standing by, and that caused me to step off a piece, and I stepped off about as far as from me to that chair there and stopped again; didn't get no further yet. Directly after that I saw a man come out from on Union street on the other side of Main street, from right towards the telegraph office, and the tailor-shop was right there right opposite the telegraph office; I saw a man come right out from that way. He came right up Union street, on the corner of Main street, right by a little apple market that stays right there on the corner by the old post-office. I was still standing there. I was standing sort of in the middle of the street then, because that horse had run up there. I still stood there in the middle of the street. This time I saw two men on the other side of the street coming running up Main street. A good many people were running up street, and the time these people were running up the street, this man who came up Union street went up Main street. He went right to the corner at this little apple market I was telling you about, and when he ran up to the corner there he drew his pistol from behind, and he remarked to the people running up street, "Look out! look out!" and he fired just as that man turned the corner of Mr. Wiseman's drug-store; and he shot three times, and I saw two men fall; and I never saw anybody else shoot but that man.

Q. Who was that?—A. I didn't really know the man.

Q. Was he a white man?—A. He was a white man, and I will tell you what I understood his name was. I didn't know who it was myself.

Q. If you have learned since state it.—A. A man was standing by me of the name of A. M. Motley. Says I, "Motley, look at that man shooting both of them men down." Mr. Motley said to me, "That's Johnson; I know him well." And that time the fire bell commenced to ring, and I am a member of the fire company, and we are sworn when that bell rings and we hear any alarm at all to be there to it or give a strict account afterwards. And as soon as the fire alarm was made that taken my attention off of the man. I made way then to the truck-house, which was over at the court-house. I knew I was bound to be there, or I would have to give a strict account of it, which is our custom whenever we hear an alarm of fire.

Q. Well, you went to your duty as a fireman?—A. Yes, sir; I ran then to the truck-house and commenced to get my truck out as usual. I met some of the members there, and they said, "It is not worth while to pull the truck out; there is no fire." And I said, "What is the bell ringing for?" And he said to me, "They are fighting down street yonder." And me and him then pushed the truck back; we had pulled it about half way out of the door. I turned round then and comes back on the street, near about the place where I was first standing. I heard then when I got back that they had killed some two or three men. I saw two of them there; saw the man when he shot; looking right at him as I am looking at you now, and I never saw anybody fire a pistol but that man called Johnson, and when I run to the truck-house, taken my attention off the man, I lost sight of him.

Q. Who were the two men killed?—A. One Edward Davis, and I think the other was—he lived in Greensborough, I think—he was a Hall, though I disremember the initials of the name, but he was a Hall.

Q. Were they running away from where you first heard the firing?—

A. Yes, sir; I still stood there at that same place; and as soon as I went to the truck-house and found there was no fire, I went back to that place again.

Q. Did you see what weapons he had?—A. Who?

Q. Johnson.—A. I saw a pistol. When he first shot he drew his pistol from behind, and hollered "Look out! look out!" and shot three times. I saw no other man shoot about but him.

Q. Have you ever been examined before?—A. Yes, sir.

Q. Were you examined before the grand jury?—A. Yes, sir; I was there on Sunday.

Q. No; before the grand jury at the court-house?—A. No, sir.

Q. Or before the committee of forty?—A. No, sir.

Q. Do you know where Johnson is now?—A. I do not; I would not know him if I were to see him.

Q. Do you know whether he lived at Danville at that time?—A. Mr. Motley said he lived in Mechanicsville, in a place called Cooley's Store, at that time. He said how he came to know him he had carried him home——

Q. No matter about that. You have stated now all you saw of the conflict, have you?—No, sir; not exactly. After I came back, as I told you, I came back near to the same place; there was some white gentlemen came on up the street and said to us, "Boys, you all better go away; you better go off the street; probably some of you might get shot." At that time I had sent two boys down the street to get some things which I had started down to get, and send them home by my chaps. I started there and thought probably, if they had not been shot I would see them and I would have gotten my things and sent them on home, as I usually do Saturday evening.

Q. When the bells rang did you see any white people with arms?—A. When the bells commenced to ring I made way to the truck-house——

Q. Yes, you have stated that, but answer my question; did you see any white people running with arms?—A. I saw some men coming down the street with guns.

Q. What kind of guns?—A. They seemed to me like shot-guns.

Q. Running?—A. Running right down the street.

Q. Did you see any with pistols?—A. I saw some men come up with pistols, too, from down Union street.

Q. In their hands?—A. In their hands.

Q. You didn't know Johnson yourself, then?—A. I didn't know him myself personally.

Q. How long had you known these two colored people who were shot?—A. I have seen them there quite a number of times; one of them was a cook at the Arlington House; I had seen him most every day, and one of the men, though, Mr. Hall, I didn't have any personal acquaintance with him; I had seen him.

Q. Was the man who was a cook a peaceable man?—A. As far as I know of he was a very sociable, peaceable man.

Q. Had he a family?—A. I don't think he did.

Q. Do you know whether the other one had a family?—A. I don't know; the other was Junius Hall.

Q. Did you see any other person who was shot?—A. Yes, sir; I saw that man Smith, I forget his name, that was shot after I came back; I went down and saw him near about night.

Q. Where was he shot?—A. I declare I am unable to say now; I disremember where he was shot.

Q. Did you know where these two men were shot whom you saw fall?—A. One of them was shot right over the eye; I disremember which eye it was and I disremember where the other was shot, to tell the truth.

Q. How long did the fire bell ring?—A. The fire bell rung the first time it commenced to ring, three or four minutes as well as I can recollect now; it rung twice; the first time it rung I made way to it.

A. Who composed your company at the fire department; how many members of the company were there?—A. There had been twenty-two or twenty-three of us.

Q. At that time?—A. At that time the company stood twenty-two or twenty-three members.

Q. All colored men?—A. The hook and ladder department.

Q. All colored men?—A. Yes, sir.

Q. Was the engine-house close by?—A. It was at the court-house over on the next square.

Q. In sight of where you went?—A. Yes, sir.

Q. Who composed the company that manned the engine; were they all colored men?—A. No, sir; that was the white department.

Q. Did you notice whether they went to their place?—A. Yes, sir; at that time they didn't have the fire engine that they have now, and the white department who use the hose, you know, throws the water; and there was a white company, they had control of the water power and the colored company the hook and ladder.

Q. Now, did they go there?—A. They were there; some of them were getting out their reels as we were getting out our truck. Finally some of them said there was no fire, and they put the reels back.

A. Do you remember who it was told you there was no fire?—A. I do.

Q. Who was it?—A. Morrison Dickson, a fellow that lives right on the market. He run right down from this fellow Smith that had been killed.

Q. What did he say?—A. He said to me it is not worth while to pull that truck out; there aint no fire. I asked him how do you know? What is the bell ringing for? He said the folks were fighting down on the street and I don't know what it is for—well, I disremember now what he said.

Q. Well, it is not very important. The idea was, it was to call the people together, was it not?—A. It seems that that was the intention.

Q. You saw more people running with guns after that than before, didn't you?—A. Yes, sir; I saw people coming from every direction—out of all the streets—every which way, you might say, you could see people come with guns.

Q. White people?—A. Yes, sir.

Q. You hadn't seen anything of that before the alarm, had you?—A. I had not.

Q. Are you a voter?—A. Yes, sir.

Q. Had you registered?—A. I had.

Q. Was it your intention to vote at that election?—A. It was.

Q. Did you vote?—A. I did not.

Q. Why?—A. Well, sir, from what had been done that Saturday I was somewhat out of fix. I had been very confused, and I saw from all appearance that there would be some danger in my voting.

Q. Well, that was the reason you didn't vote, was it?—A. Yes, sir.

Q. Were you afraid to do it?—A. Yes, sir; I was afraid.

Q. Had you always voted before?—A. I hadn't lost but one vote since I had been permitted to vote.

Q. How old are you?—A. I am going on thirty-eight years old this coming November.

Q. When was the poll-tax taken off and the colored people allowed to vote freely?—A. I think it was last year or the year before; I disremember which, when it was taken off.

Q. They never have voted but once since that, have they?—A. I don't think they have.

Q. And if they had voted last year it would have been the second time?—A. Yes, sir.

Q. Was not this the first time you were permitted to vote without paying the tax?—A. I think it was. As well as I recollect, I think it was.

Q. That was put on when the Democrats had control, was it not?—A. Yes, sir.

Q. The Readjusters had removed it?—A. Yes, sir.

Q. And for the first time the colored people were going to vote freely?—A. Yes, sir.

By Mr. VANCE:

Q. Have you ever heard of any country up North where they make a man pay his tax before they allow him to vote?—A. I don't know that I have.

Q. Did you never hear of the State of Massachusetts?—A. I have heard some talk about it in my life-time.

Q. Have you ever heard of the State of Rhode Island?—A. I have heard the name called.

Q. Don't you know that they don't let a man vote up there unless he pays taxes and owns property?—A. No, sir; I didn't know that.

Q. Never heard that?—A. Never heard any person say that they did that up there.

Q. Well, you think it is a great thing where a man can live in the Government and vote and not pay taxes, don't you?—A. No, sir; I don't.

Q. You don't think that is a good thing?—A. I think a man ought to pay his taxes.

Q. Well, you and I agree precisely. You are still required to pay the tax, are you not?—A. Of course I pay it.

Q. Now you don't have to pay it before you vote, but then—in old times—you had to pay it before you voted?—A. Yes, sir.

Q. That is the difference?—A. Yes, sir.

Q. Let me see if I can understand where you were when this thing took place. If I understand you, you came up Union street to Main?—A. Yes, sir.

Q. And stopped at the corner?—A. I did.

Q. Where did you come from; what side of the street?—A. The north side.

Q. Towards the river?—A. Yes, sir.

Q. And you came up by the Arlington Hotel, did you?—A. Yes, sir.

Q. Now, when you were standing there and listening to the fuss down the street, as you describe it, you say you saw a man come down Union street from towards the court-house?—A. Yes, sir; after the fuss awhile.

Q. He came down Union from the opposite end to where you stood?—A. From towards the court-house.

Q. Then when did you see two men coming that came up the street?—A. They run right in front of Dr. Cole's and Mr. Wiseman's drug store.

Q. Where did they stop?—A. They run right around the corner of

Mr. Wiseman's drug store, and just as they turned the corner, going down Union street towards Baptist street, they call it, which goes up by the court-house.

Q. Did they turn off of Main street into Union?—A. They turned right around the corner.

Q. Corner of what?—A. Right around Wiseman's drug store.

Q. Well, that is right at the corner of Union and Main?—A. Yes, sir.

Q. Well, they turned around the corner in the street.—A. One of them turned right on the sidewalk and I think the other was out in the street when he fell.

Q. Where was the man standing, that one man that came down Union, where was he standing when he shot?—A. Right off from the corner.

Q. Was he on Main or Union street?—A. He was right at the corner of Main and Union.

Q. The upper corner now from Wiseman's drug store?—A. Yes, sir.

Q. Was there a little shanty right there?—A. Yes, sir.

Q. Where was he with reference to the shanty?—A. He ran right up so (illustrating). Here's the shanty—here's Main street. He run right out—here's Main street and here's the shanty, and he run right out just opposite the shanty at the corner of Union and Main, and just as these men turned round Wiseman's corner this man said "look out" and drew his pistol from behind. He shot three times, and I saw these two men fall.

Q. Where did they fall?—A. One on the sidewalk and the other in the street.

Q. How far from the door of Wiseman's drug store did he fall? It was on the sidewalk now right at the corner?—A. It was right around the corner, but I could not say how far.

Q. Was he in Union or Main street when he shot?—A. There was two men got shot, right at the same place.

Q. You said one was on the sidewalk and the other in the street. Now, where was the one on the sidewalk. Had he turned into Union or was he in Main street?—A. He had done turned into Union, and he was on the sidewalk.

Q. On the sidewalk in Union street?—A. Yes, sir.

Q. And he fell right there?—A. Yes, sir.

Q. On the sidewalk?—A. Yes, sir.

Q. And the other was in Union street going towards the court-house? Then there was nothing but the width of Main street between you and them?—A. No, sir.

Q. And there was nothing but the width of Union street between the man and the one he shot?—A. No, sir.

Q. Well, Union street is very narrow, is it not?—A. Yes, sir; it is not very wide.

Q. How wide do you think it is?—A. About seven stepping stones across there, I suppose it is.

Q. They are not more than three feet apart, are they?—A. They are about that, I reckon.

Q. That would be about 21 feet?—A. It is not over that I think. I think that about the distance.

Q. And this man was that close to him?—A. Yes, sir.

Q. And he called to them?—A. He didn't call to them. He said "look out" and these two men were running.

Q. He said it twice, did he?—A. He said, "look out, look out," and these men were running, and as this man said look out, they turned the corner and was still running.

Q. How close were they together when he shot; were they side by side?—A. One was a little ahead of the other.

Q. Which one did he shoot first?—A. I am not able to say which one he struck first. It seemed to me they were in just like one party might have been, right there about where you are, and the other one seemed to be about betwixt me and you, apart, something like that. One, though, on the street and the other on the sidewalk.

Q. Now, you never had seen that man before, had you?—A. Johnson?

Q. Yes, the one whose name you were told was Johnson.—A. I don't know whether I had or not.

Q. You didn't know him, did you?—A. I didn't know him personally myself.

Q. What sort of a man was he? Describe him.—A. He seemed to be sort of a low-built man. He was not very tall, nor not very large man.

Q. Not very tall nor very heavy?—A. No, sir; he was not.

Q. Did you notice what colored hair he had?—A. I didn't have time to notice his hair.

Q. Did you notice the color of his clothes?—A. I don't know as I did. I think he had on kind of white clothes, as well as I recollect now.

Q. Can you give any other marks that you recollect on him? You say he had on light clothes, was not a tall man, and was not a very large man—rather low and rather small, and light clothes. Now, can you tell anything else to identify him?—A. I don't know that I can.

Q. Did Motley tell you where he lived?—A. He did.

Q. Where did he say he lived?—A. He said he lived in Mechanicsville, in a place called Craley's Store.

Q. Did he say he knew where he worked?—A. Motley?

Q. Yes.—A. I think he remarked to me that he worked down there at that tailor shop.

Q. What tailor shop?—A. That tailor shop on Union street, right there by the telegram office.

Q. Do you recollect the name of the tailor who kept the shop?—A. I do not know his name; I have frequently seen the shop, but I did not know the man that worked in it at all.

Q. Is it not Jones and Lawler?—A. I don't know.

Q. Was that your regular way of passing?—A. I hardly ever went that way, except when I was going to the court-house, or to the reel-house.

Q. Did you not live down Union street?—A. I did. That was on the other side of that.

Q. Well, coming up to Main street, didn't you always pass that tailor shop?—A. No, sir; I pass by one that was Mr. Gibson's, but didn't pass that unless I had business out that way, and I hardly ever had passed by that shop.

Q. How long was this after you heard the squibs bursting down the street, that you described to us, until Johnson shot these men?—A. I said at first it was some ten or fifteen minutes before I heard that general firing like squibs down the street.

Q. Ten or fifteen minutes before this that you heard the firing, or was this before the firing took place; which was it?—A. These men were not shot until after that firing took place down the street.

Q. How long after?—A. I say it was some ten or fifteen minutes. I still stood there at that same place before even I went to the truck place.

Q. What makes you think it was so long; what did you see in the mean time?—A. After I had been to the truck-house?

Q. But you did not go to the truck-house until after these men were shot, did you?—A. No, sir.

Q. Now, between the time you heard this firing down the street and the time the men were shot by Johnson at the corner, what did you do?—A. I stood right there at the place a little ways from where the horse ran away looking for my boys, which was down the street.

Q. How long after the men were shot was it until Mr. Cabell came up and got on the steps and made the speech?—A. I had been, when Mr. Cabell came up there—I believe; I am satisfied—I had been to the court-house.

Q. I thought you went to the truck-house?—A. Well, that is the place where the truck is—the court-house.

Q. How far is the court-house from the corner where you were standing?—A. It is over at the next corner.

Q. Is it not 150 yards?—A. I don't know whether it is that far or not; it may be further.

Q. Which is the furthest? Now, you were standing on the north side of Main street at the mouth of Union—where Union comes in?—A. Yes, sir.

Q. And going to the court-house you had to cross Main street, go on Union until the next block, and then turn to the right?—A. A little ways.

Q. What street was that?—A. The street called Patton street, I think.

Q. Is not that further than it was from where you stood at the mouth of Union down to Woolfolk & Blair's?—A. I think it is a little.

Q. After Johnson had shot these men you had been up to the court-house and got your truck out?—A. I did not get it out; started to get it out.

Q. Well, some men told you there was no fire?—A. Just run it into the door; didn't even put the tongue inside the door.

Q. But you came down back to where you stood first?—A. Ran right back. We go full haste when we hear an alarm of fire.

Q. Yes, I know; but you did not run going back?—A. I ran just as fast going back as I did coming.

Q. And by the time you got back you saw Mr. Cabell come up?—A. I saw Mr. Cabell come up on the other side of the street, I think. I won't be positive, but I saw Mr. Cabell when he went up on the steps at the old post-office.

Q. When Johnson fired on these two men, what became of him?—A. What became of who?

Q. Johnson?—A. I don't know what became of him.

Q. Didn't you see whether he went down into the earth, or flew, or walked off?—A. When he shot these men, I remarked to Mr. Motley, a colored man who was standing over there where I was, "I say, look out there, that man over there done shot both of them men"; and Motley remarked to me, "That is Johnson. I know him"; and about that time the fire bell commenced to ring. I stood there for a moment or too with Motley, and the bell commenced to ring so rapidly I thought there was a fire. I made haste with all the speed I could make to the truck house.

Q. Now you ran right over to where Johnson was standing?—A. The man that done the shooting—

Q. I know; but Johnson was standing right over at the corner when

he shot him, and you ran right over?—A. I don't know whether he was standing after he shot or no.

Q. But when he shot he was there. You ran right towards him?—

A. I know I saw him when he shot him. Now, what became of Johnson I don't know.

Q. When was the last time you saw him?—A. When he shot the men.

Q. You never saw him any more?—A. No, sir.

Q. He disappeared?—A. I don't know whether he did or not.

Q. Can't you tell us where he went?—A. I didn't know the man when he shot, and would not know him now.

Q. That is not an answer to my question.—A. If I saw him I am not aware of it after that.

Q. Well, he was standing then in the open street?—A. Right at the corner of the street when he shot these men. I saw that. I saw these men fall; and I remarked to Motley—

Q. Never mind about your remark to Motley. What became of Johnson?—A. I don't know.

Q. You do not know?—A. No, sir.

Q. How near together did the men fall?—A. I thought one was on the sidewalk and the other was in the street; probably it might have been as far as from you to me, and probably it might have been a little further.

Q. Did they both fall in Union street, or one on Main street and the other on Union street?—A. They both had turned around the corner of Mr. Weisman's, going towards the court-house.

Q. Which way could this man have gone from that corner without your seeing?—A. I didn't wait to see him. Probably if I had been looking for the man—when the bell commenced to ring I lost sight of the men. The bell took my attention off of everything.

Q. You never paid any attention to a man whom you had just seen shoot down two men?—A. Whenever I hear a fire alarm I run right for that bell; nothing won't stop me.

Q. Murder, nor nothing?—A. Nothing won't stop me when I hear that bell.

Q. Well, you saw the way to go there, didn't you?—A. Yes, sir.

Q. Couldn't you see a man that was standing in the way?—A. Probably I saw men standing all about there.

Q. What men?—A. I don't know. Men were drawing in from each way, and coming from each way.

Q. Was anybody else about with pistols?—A. I saw men about with pistols.

Q. Right about that time?—A. In that time I was going to the truck-house I saw one or two men. Being in haste, I didn't take time to see who it was.

Q. Were there any other pistols fired at that point during the affray?—A. I never saw but that one pistol, and I was looking at that just as I am looking at you.

Q. But you never saw what became of the man?—A. I never saw what became of him. My attention was called by the ringing of the bell.

Q. Did he not go back to the tailor shop?—A. I don't know.

Q. If he had been running up Union street right before you you would have seen him, would you not?—A. I don't know. There was other members going on to the truck-house, I suppose, as I was.

Q. Several others?—A. I don't know whether there was or not.

Q. Was there anybody at all running upon the street before you?—
A. Yes, sir; people who had been down the street were turning the corner and going the way I was.

Q. Many of them?—A. Some men, some women, and some children.

Q. Did you ever make any inquiries afterwards to find out who Johnson was?—A. I inquired of several people there what sort of looking man he was. Some people said they did not know him, some said they did know him.

Q. Did you not try to learn who it was that had shot down two men in your presence?—A. I did make inquiries, and tried to find out.

Q. Did you find out anything more than what Motley told you?—A. I don't think I gained any information that satisfied me but what Motley told me.

Q. Could you not have found out by asking somebody else if Motley's story was true?—A. If I had put myself to any trouble I might have probably.

Q. But you did not?—A. I did not, because I didn't expect to be called up to give any testimony or anything, and hence took no account of it at all.

Q. Did you tell anybody about this before?—A. I told a good many that asked if I saw who shot. I told them I saw a man that shot two men.

Q. Were they white or colored that you told?—A. I told white men that I work with every day.

Q. Who were they?—A. One, Mr. George Weifert, and other white men have asked me about that same time since that, and I have told them the very same thing.

Q. That you have told here to-day?—A. Yes, sir.

Q. Did nobody have any curiosity to know who this man Johnson was; did nobody try to find out, to your knowledge?—A. Not as I know of. Mr. Weifert, when I made the remark to him, said he had to run like smoke to save himself that day. He said the balls were flying all around his head.

Q. Where was he?—A. Me and him worked together every day at Holland's factory; and I think Mr. Weifert said he was making down this alley by Mr. Nicholas & Hessberg's; leads right down by that store. I think he said he was coming out that alley.

Q. He was right close in the fight, then?—A. I don't know whether he was or not.

Q. Well, the fight was down near Woolfolk & Blair's; was it not right along the street there?—A. Yes, sir.

By Mr. LAPHAM:

Q. Did you see any colored people with arms?—A. I didn't.

Q. Neither before nor after this shooting commenced?—A. No, sir.

Q. How long was it after the firing you described on the street there (which seemed like squibs in a barrel) before this shooting took place that you have described, that killed the two men; how long did it seem to you?—A. Ten or fifteen minutes.

Q. But it was before the fire bells rang; and it was after the fire bells rang that you heard Colonel Cabell on the steps?—A. I think so.

Q. How long after? It was after you had gone to your truck house and came back that you heard Colonel Cabell say what you have stated?—A. Yes, sir.

Q. How long after you got back?—A. It was not very long; directly I got back.

Q. Did you hear any more shooting after you saw these two men killed?—A. I don't think I did.

Q. You think that finished the day's work, do you?—A. I think that decided it.

By Mr. VANCE:

Q. In what part of the body were those men shot?—A. I don't recollect where they all were shot, but one of them was shot about the eye; somewhere right over the eye; and the other two I could not tell you.

Q. Shot in one part of the head and come out of the other?—A. I disremember whether they come out or not. I looked at them running out of the place, right over the street where the ball went, but whether it came out on the other side I can't say. That was Ed. Davis.

Q. Did you see how the other was wounded?—A. Yes; I saw, but I am unable to describe where.

Q. You cannot tell where he was hit?—A. I think he was hit about the head somewhere.

Q. Both of them were hit in the head?—A. I think he was.

W. P. AVERETT sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville, Virginia.

Q. How long have you lived there?—A. I have lived there now about sixteen or seventeen years.

Q. What is your business?—A. Shoe and hat business.

Q. Were you there on the 3d of November last?—A. Yes, sir.

Q. Where were you at the time this disturbance commenced?—A. During the first part of it I was at the store.

Q. Where is your store located?—A. Right below Nicholas & Hessburg's, on the corner of Spring and Main streets. I think they call it Spring street—Market street.

Q. When the disturbance began you were in your own store?—A. When the fight took place between the two men first I was in the store.

Q. What time did you go out?—A. I went out as soon as I heard of it.

Q. Where did you go?—A. I went up to the scene of action.

Q. At what particular point in the street did you go?—A. I went first to Messrs. Ruffin, Woolfolk & Blair's office.

Q. How long did you remain there?—A. I remained there about a minute or two.

Q. Where did you go from there?—A. I went from there down towards the opera house. I went up to the opera house door.

Q. You went to call the people from the opera house, did you not?—A. Yes, sir; I went there for that purpose.

Q. You did call them?—A. Well, I attempted to.

Q. Had there been any general shooting when you did that?—A. No, sir; there hadn't been.

Q. It was before the shooting?—A. Yes, sir.

Q. Do you remember what you said?—A. No, sir; I don't now.

Q. Well, the import of it was that you wanted them to come to the street, was it not?—A. Yes, sir. I saw so few white men there that I thought it was necessary for more to be out.

Q. You did not remain there at the opera house?—A. No, sir; I only went to the door and came immediately back.

Q. Did you run?—A. No, sir; I walked pretty fast, though.

Q. What is the distance?—A. I suppose about fifty or seventy-five yards.

Q. Where did you go when you returned?—A. I went back to Ruffin, Woolfolk & Blair's office.

Q. Where the line of white people was?—A. I did not know as there was any line of white people there.

Q. Where the gathering of white people was?—A. No particular gathering there then; the fight was over; just a few scattered around.

Q. When you returned the fight was over; the general fight?—A. No, sir; when I returned the fight had not commenced.

Q. Where did you take your stand?—A. I went to the office first, from the opera house.

Q. What office?—A. Ruffin, Woolfolk & Blair's office.

Q. For what purpose?—A. I went there just to see what was going on from the opera house, and I inquired around there and looked about, and everything seemed to be sort of quiet then, and I just walked back, sort of sauntered down the street a little way, to about Vass's hardware store or Pierce's barber-shop; down there somewhere.

Q. You were not standing still at any point then?—A. No, sir; I was not.

Q. Where were you when the first fire was given?—A. I was about at Tom Pierce's barber-shop, next door to Nicholas & Hesberg's bar-room.

Q. Were you armed?—A. Yes; I had my pistol with me.

Q. Where did you take it from?—A. I took it from my safe in the store.

Q. When you started out yourself? How long had you owned that particular pistol?—A. I had owned it about—I don't know—three or four weeks, I suppose.

Q. Do you remember where you purchased it?—A. Yes; I purchased it from Vass's hardware store.

Q. What was it?—A. It was a .38 caliber, Smith & Wesson.

Q. Did you fire it?—A. No, sir.

Q. Are you able to say how many pistols were fired?—A. No, sir; I am not. There seemed to be about 75 or 100; 50 to 100 somewhere.

Q. When the white people fired where were you?—A. I was right at Tom Pierce's barber-shop; at least I was not in the barber-shop, but standing there.

Q. How far from those who fired?—A. About 10 or 15 yards, I reckon.

Q. You were not among the persons who fired?—A. I was not immediately amongst them; no, sir.

Q. Where did you go after that?—A. As soon as the general firing was over the niggers pretty generally left the street and dispersed.

Q. They ran immediately when the firing commenced, didn't they?—A. Not exactly, immediately; they scampered off pretty quickly; didn't show any pluck, very much.

Q. Were there men, women, and children there?—A. No; I did not see any women and children; I don't remember any; I think they were pretty well grown men.

Q. Which way did they run?—A. They run in different directions; some run up, some run down, and some run across Market street.

Q. Were there shots fired after them as they ran?—A. Well, I reckon there were a few, probably. After all of them had dispersed there was no firing.

Q. Of course not. They would not fire into vacancy.—A. Well, I don't

mean that; I suppose there was probably thirty or fifty men scattered down the street, and probably all of them had fired and were firing.

Q. What occasion had you to make this purchase of the pistol at that time?—A. I had one pistol at home and I preferred keeping that there, and I just felt like I needed one in the store. We had no fire weapons there at all, and I felt I needed one in the store.

Q. In your own store?—A. Yes, sir.

Q. What kind of a store did you keep there?—A. A shoe and hat store.

Q. What is the size of the building or the room in which your store was?—A. I don't know the feet. It is a pretty large store. I suppose about 75 feet by 30, probably.

Q. Do you belong to a Democratic club?—A. Yes, sir; I belong to my ward club.

Q. Was there an executive committee of that club?—A. Yes, sir; I think there was. I did not take any very active part in it.

Q. Were you a member of that?—A. No, sir.

Q. Do you know Mr. Johnson, spoken of by the last witness?—A. I don't know which Johnson he is talking about.

Q. Well, he described where he worked.—A. He didn't describe the man that I know; the description of the man he gave I didn't know at all.

Q. The one that lived at Mechanicsville?—A. I don't know a man that lived at Mechanicsville; I know one Johnson, but don't know where he lives and don't know any man that answers the description he gives.

Q. You don't recognize from his description the man you know?—A. No, sir.

Q. You don't know any one of that name living at Mechanicsville?—A. No, sir; I don't.

Q. Where were you when the fire bell rang?—A. I declare I don't remember distinctly; when the fire bells rung it was all excitement; I was out on Main street, though I suppose somewhere.

Q. But you are unable to give the particulars?—A. Yes, sir; I am not able to do that; I don't remember; I was right smartly excited.

Q. As I understand you, you didn't fire your revolver at all?—A. I did not.

Q. You probably observed whether the people left the opera house when you made the call there, or didn't you wait for them?—A. In going I met some of them coming; probably they had been informed by somebody else.

By Mr. VANCE;

Q. How came you to leave that store in the first place; what attracted your attention?—A. My porter had been out with some bundles or was either returning from dinner, and had come in in a very excited way and said somebody was hollering murder out there, and they were killing people or something of that kind, some expression of that kind, and he said enough to make me believe there was some row up the street.

Q. Up to that time had you heard a pistol shot?—A. No, sir.

Q. How long after you got out on the street before you did hear a pistol shot?—A. I went to their office and the opera house, and waited around I suppose it was ten or fifteen minutes; I suppose it was ten minutes anyhow.

Q. Before you heard any pistol shot?—A. Yes, sir.

Q. When you heard a pistol shot was that the beginning of the general firing?—A. Yes, sir.

Q. You didn't hear that pistol, then, spoken of as being discharged by Lea at Adams when the fist fight was going on?—A. No, sir; I don't know that Lea discharged a pistol at Adams at all.

Q. Well, you have heard the witness speak of it here, have you not?—A. No, sir; I haven't heard that he fired at any particular man at all.

Q. It is sufficient for my purpose that you can say that the first shot you heard was the beginning of the general firing?—A. It was the general firing.

Q. But your porter told you that some men were crying murder?—A. Yes, sir; hollering murder and all sorts of things; he was nearly scared to death.

Q. Did you go right to Woolfolk & Blair's then?—A. Yes, sir; as soon as I could get my hat.

Q. What was going on when you got there?—A. The fight between Lawson and Noel seemed to be over and they had gone away. I didn't see either of them, and I saw, I suppose, four or five white men standing around the office.

Q. And now many colored men?—A. I suppose fifty.

Q. You say you saw no women and children in that crowd?—A. No, sir; I didn't notice any. There might have been some there.

Q. Was there anybody at the time in your vision mixing among the colored people and apparently trying to get them to disperse?—A. I saw one man in particular. I have reason to believe there were a good many others, but I saw one man in particular trying to get them to disperse.

Q. Who was that?—A. That was T. J. Corbin.

Q. Did you hear what he said?—A. No, I couldn't hear what he said, but he was waving his hand and was trying—came back and remarked to me—that he was trying to get them to disperse, and, to use his own language, he said he would be damned if he could get them to go away.

Q. Did you hear what they said?—A. No, sir; I didn't hear a word they said.

Q. How did they appear; was it an angry crowd?—A. That was my reason for going to the opera house. I saw so few white men there, and the crowd of negroes looked so threatening to me, that I said to some one "Why in gracious ain't those people out of the opera house," and I am going down to get them out.

Q. You said you just went to the door; didn't go in?—A. No, sir; the door seemed to be held by the sergeant-at-arms, and I had forced it enough to look in the door and hollered "Come out!"

Q. Did you tell them why?—A. I don't know whether I did. I probably said they were fighting, or something of that kind; I don't remember now.

Q. You then walked back to the office—you walked up the street as far as the barber shop?—A. No, sir. I went to Ruffin, Woolfolk & Blair's office first; came back there.

Q. Now, how long after you gave the alarm was it until the people began to pour out of the opera house?—A. I heard a good many had already gone, and told them the same thing I had before, and I don't know whether my call made them come out or not.

Q. How long after your call before they did come?—A. I don't know hardly; they come out.

Mr. LAPHAM. He says he met them when he was going.

The WITNESS. I said I probably met a few.

By Mr. VANCE:

Q. They did come out on the sidewalk, did they, a good many of them?—A. I don't think all of them come; there might some of them come. A good many of them might, but the opera house was very much crowded.

Q. They could not all get out at once, of course?—A. No, sir.

Q. Now, how many people came out and went up as far as where these men were, in front of Blair's office, before the firing began?—A. I think it was a very few.

Q. You met some going up?—A. I probably met a few. I don't know whether they came out of the opera house or not. I met people passing up the street. I met people passing just, of course, as people are always passing up and down the street. I don't know whether they came out of the opera house or not.

Q. From what you saw, how many white people do you think were present when the firing began?—A. I suppose probably there were forty or fifty that were there immediately after the firing commenced or were there during the time of the firing.

Q. On the sidewalk between Woolfolk & Blair's and the opera house?—A. Yes, sir; between Woolfolk's and Nicholas' and Hessberg's corner.

Q. Did the colored people come up as rapidly as the white people?—A. I didn't notice them at all. There was such a big crowd there when I first went up that I didn't notice any accessions.

Q. Did you really think that these white men on the street were in any danger from that crowd of colored people?—A. That is the only reason in the world why I went to the opera house, because I was uneasy about it. I saw so few white men in such a big crowd of negroes that I was uneasy.

Q. And Mr. Corbin had told you they would not separate?—A. Yes, sir. He had just been amongst them and he said that they said, "damned if they would go," or something to that effect.

Q. You say the crowd appeared to be an angry and dangerous crowd?—A. It had that appearance to me.

Q. You say you could not hear what they said. Did you see any gesticulations like men talking?—A. Yes, that is one thing. I saw probably a few of them waving their hands around and shoving, or something of that kind, or loud talking, but I didn't hear what they said.

Q. Did you stand on the sidewalk until the firing was over?—A. Yes, sir.

Q. You say you did not discharge your pistol?—A. I did not.

Q. Did you see any weapons in the hands of the colored men?—A. I don't know that I did; I didn't notice particularly.

Q. Could you see from where you stood whether there was any firing from the colored ranks or not?—A. I couldn't say that, either, sir; I couldn't say that they did.

Q. The white people were above you on the sidewalk, were they not?—A. Yes, sir; they were above me when they first commenced firing; not more than one or two white men I don't think were below me after the first volley came in.

Q. Only one or two white men below you?—A. I think so.

Q. Could you tell, from where you stood, if the colored people had fired pistols, could you have told one from the other, whether it came from the white ranks or the colored ranks?—A. I don't know whether I could or not.

Q. Were the whites between you and the colored, or were they both equally in your view and sight?—A. The colored people were out in,

the middle of the street; there were a few colored people getting out of the way running across the sidewalk to get into the stores.

Q. Was that before or after the firing began?—A. That was while the firing was going on, or directly after the main volley fired.

Q. How long did the firing last?—A. That is hard to tell; I don't suppose, though, it lasted three minutes; two minutes, something of that kind.

Q. Two minutes?—A. I don't reckon it did last over two minutes.

Q. You were asked if the white people fired at the blacks after they had run; do you know whether that is so or not?—A. It is hard to express myself there; a good many of the negroes, I suppose, run as soon as they were fired at, and probably as soon as the pistols were presented, and as the white men, being strung out that way, they all had shots; probably some of them shot two or three times; then of course the negroes were running; I don't think there was any disposition of the white men to fire upon the fleeing crowd.

Q. Did you see or hear anything said that indicated a disposition to fire on the colored men after they had run?—A. Well, sir, probably; I don't remember now; I probably might have heard some drunken fellow say so, but I don't remember.

Q. Well, if you don't remember, you need not say it. It might likely have been, might it not, that a large portion of them were running and others standing there?—A. Yes, it might have been. Under the excitement of the moment I was not capable of judging.

Q. But they could not all have run at once if they had tried, could they, because some have got to make room for others in a close crowd?—A. Yes, sir.

Q. Do you think that these men, from what you saw, fired on those colored people after the apparent necessity for firing at all had passed away?—A. I don't think so; if they did I didn't see it.

Q. Could you see any men, to judge from the position of their pistols, who fired in the air?—A. No, sir; I didn't.

Q. Were you looking on directly at the parties when the first pistols were fired?—A. No, sir; I don't know as I was.

Q. Did you hear any command given to fire?—A. No, sir.

Q. Did you hear any command given to form a line or anything of that sort?—A. No, sir.

Q. Was there any line formed?—A. No, sir; there was no line formed that I know of.

Q. How wide is the sidewalk?—A. It is about 5 or 6 feet.

Q. Well, a number of men standing on the sidewalk and facing the center of the street would necessarily get somewhat in line, would they not?—A. Yes, sir; but I don't think there was any formal line made.

Q. You didn't see anything that looked like a military formation?—A. No, sir.

Q. Did you see any men going in or coming out of Woolfolk's & Blair's office getting pistols?—A. No, sir; I did not.

Q. Did you go in?—A. No, sir; I didn't go into the office at all.

Q. Did you see Mr. Dance standing in the door with a shotgun?—A. I did.

Q. Did he fire at anybody?—A. I don't think he did.

Q. You didn't see him?—A. I did not; I don't believe he did.

Q. Did you hear him call out to anybody?—A. No, sir; I did not.

Q. You didn't hear him call out to somebody to go ahead as soon as they were ready?—A. No, sir; I didn't hear anything of that kind.

Q. Do you know Charles Adams?—A. I do.

Q. Did you see him in the street?—A. The first time when I left my store to go up I saw him coming out of the door. He lives at Nicholas's and Hessberg's, and he seemed to be very mad about something. He was using harsh language about a white man beating a negro up there to death, or something of that kind. I didn't notice him particularly. I passed him going up the street.

Q. Did you see Captain Graves?—A. Yes, sir; I think I saw Captain Graves.

Q. Where was he?—A. He was very near me, to my left; I think down near—right below—the barber shop.

Q. Did you see him shoot Charles Adams?—A. No, sir; I did not.

Q. Did you see Charles Adams out in the street?—A. No, sir; I did not see Charles Adams out in the street after the firing occurred.

Q. Did you see Mr. Hatcher?—A. Yes; I saw Mr. Hatcher.

Q. Did he come up near where Mr. Graves was and fire at some running negroes?—A. No, sir; I don't think he had a pistol at all. I didn't see him with a pistol at all.

Q. Did you see Mr. Graves there on the sidewalk at all after the firing was all over?—A. No; I think the firing was going on when I saw him.

Q. After the main firing at Woolfolk's had ceased, and the darkies were fleeing in different directions, did you see Mr. Graves any more?—A. After all the firing was over, did I see him?

Q. Well, when that main part of the firing in front of Woolfolk's was over?—A. Yes; I think I saw him. I don't know. You asked me just now whether it was after or before. I don't know whether it was during the main volley or immediately after the main volley.

Q. Did you see him fire his pistol at all?—A. I don't think I did.

Q. You didn't see him at the corner right opposite to your corner—the corner of Nicholas & Hessberg's—firing up and down Market street?—A. No, sir; I didn't see him.

Q. Well, you were on the street; how long were you on the street after the firing was over?—A. I walked up the street to where the old post-office was, and the business was pretty much dispensed with for the balance of the evening, and I didn't return to the store at all.

Q. Didn't go down?—A. No, sir.

Q. Was there any firing after you started up the street?—A. No, sir.

Q. None at all?—A. No, sir.

Q. You stopped at the old post-office?—A. Yes, sir.

Q. And from that time on you heard no firing?—A. No, sir; I didn't hear any firing on the street. I heard pistol shots around that night, but never heard anybody shooting at anybody or anything of that kind.

Q. Do you know Jack Redd?—A. No, sir, I don't. I have heard of him; don't know him, though.

Q. You didn't see him that evening?—A. No, sir; I don't know him. I might have seen him. I know the names of but very few negroes there.

Q. Do you know this colored man Hubbard?—A. What is the other name?

Q. Jefferson.—A. Yes; I know him.

Q. Did you see him?—A. I might have seen him that day; I don't know.

Q. Then you say that the description that Cole gave of Johnson, whom Motley said was a tailor, working up at that tailor shop on Union street, that Cole's description didn't suit that man?—A. No; it don't suit the description of any Johnson I know in Danville at all.

Q. Don't suit the description of any Johnson?—A. No, sir.

Q. What kind of a man is that tailor there?—A. The one I know?

Q. Yes.—A. He is a tall fellow, has, I think, black hair; sort of sway-back kind of a fellow; careless kind of a fellow.

Q. Slouchy?—A. Yes; a very manly form, but just walks carelessly.

Q. Loosely?—A. Yes, sir.

Q. Did you notice after the firing was over any marks on the houses?—A. I noticed a pistol mark, I think, on Hamlin's frame window. I don't know just where it was.

Q. Where is that?—A. It is right across from Ruffin's and Woolfolk's, nearly directly opposite.

Q. That is opposite to where the white people stood?—A. Yes, sir.

Q. But did you see any marks or examine for any right along Woolfolk's or Hessberg's?—A. No, I didn't examine for any.

By Mr. LAPHAM:

Q. Where was it you saw Captain Graves first that evening?—A. I saw him in the street, I think it was below me.

Q. Didn't he pass down below you?—A. I didn't see him pass below me.

Q. But you saw him below you?—A. Yes, sir, I saw him.

Q. That was towards Market street from where you stood?—A. Yes, sir, towards Market street from where I stood.

Q. What time was that?—A. I don't know exactly.

Q. Was it after the general firing?—A. That's what I don't remember; I think it probably might have been directly after the main firing.

Q. Now, if he fired at men running into Market street after the general firing in Main street was all over, that was an unnecessary act, wasn't it?—A. After the general firing was over?

Q. Yes. If he went down and fired at people fleeing into Market street, that was an unnecessary act, wasn't it?—A. Well, I don't know the circumstances exactly but I should think it would be.

Q. How many shots do these revolvers fire generally?—A. You can get them to shoot five or six shots.

Q. Those that are used there?—A. About five, I think.

Q. They fire the five shots by pulling the trigger, don't they—that is, the trigger revolves the cylinder?—A. They are what they call self-acting, I believe.

Q. So that a man can fire five shots about as soon as he can manipulate and pull?—A. Yes; pretty much.

Q. How quick can he fire five shots?—A. I declare I don't know; I never fired one of the things in my life.

Q. How quick do you think he could?—A. I don't know.

Q. Don't you think he could do it inside of half a minute?—A. I think he could.

Q. Now, when this firing began, didn't it have that rattling sound as though the triggers were being pulled quick?—A. I didn't notice anything of that kind.

Q. Do you say it was only a single shot from a revolver?—A. I don't know; I didn't hear any rattling about it.

Q. I mean by rattling, shots in quick succession.—A. I don't know, sir.

Q. You don't mean to say that all the pistols were discharged simultaneously?—A. Yes, sir.

Q. They were successive shots?—A. They could not fire all at once; I suppose they might have aimed to fire at once.

Q. Well, was it not the fact that there were successive shots—say that

they were fired from the same or different revolvers—shots in succession, one after another?—A. Well, yes, sir; they did occur that way.

Q. Now, any one holding any one of these revolvers could fire five times before a minute easily, couldn't they?—A. I don't know whether they could do it in a minute or not.

Q. What! fiveshots—twelve seconds to a shot—why, he can fire about as quick as he can move his finger so [illustrating], couldn't he?—A. Why, you see the hammer has to go back.

Q. Why it is drawn back by the trigger?—A. Yes; when you pull the trigger the hammer falls back.

Q. Well, the moment the hammer falls back it goes off?—A. Yes, sir.

Q. Cannot it be done as fast as a man pulls his finger so [indicating]?—A. Yes, sir; I suppose so; I am not used to those things; never fired one in my life.

Q. You keep two and never fired one?—A. I have never fired one of those self-cocking revolvers, or whatever you call them.

Q. Was it before or after you went to the opera house that Colonel Corbin told you what you have stated? Was not that after you came back?—A. I don't know whether it was the first time I went up there. I went and came back and sort of sauntered down the street.

Q. Was it not after you came back from the opera house that Colonel Corbin stated to you what you said?—A. I think probably it was after I came back from the opera house.

Q. You got back from there before the general firing began?—A. Yes, sir.

Q. How long should you say it was after you returned before the firing?—A. About four or five minutes; I reckon from three to five minutes.

Q. How far where you from this office door where the man stood with the musket?—A. There is one big hardware store between that store and the barber shop, where I was standing.

Q. What distance?—A. About 30 or 40 feet.

Q. In the din there you would not have been apt to hear anything said, then, if anything had been said, would you; or, in other words, your attention was not attracted to the shop where the man was standing with the musket?—A. No, sir.

Q. There might have been anything said and you might not have heard?—A. No, sir. I said in my testimony I didn't hear anything that was said.

Q. No; you wouldn't have been likely to hear?—A. No, sir; I wouldn't have been likely to have heard anything said around that real-estate office.

Q. Nor from the white people who first fired; you were not near enough to hear what they said?—A. No, sir.

Q. If there had been an order to fire you would not have heard it, would you?—A. No, sir; I don't think I would.

Q. Whether from the office door or from the ranks?—A. No, sir.

NELSON SCOTT sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. I have been living in Danville, off and on, ever since the first year of the war.

Q. What is your age?—A. I am twenty-nine.

Q. You were a boy then?—A. Yes, sir.

Q. Were you a slave?—A. I was.

Q. Who was your master?—A. A gentleman named Frank Scott.

Q. Is he living yet?—A. No, sir.

Q. Are you a single man?—A. No, sir; I am married.

Q. Have you a family?—A. Yes, sir.

Q. Where were you on the 3d of November last?—A. I was at my business in the revenue office.

Q. What was your business there?—A. A messenger.

Q. You are a messenger in the revenue office?—A. Yes, sir.

Q. What was the first of this controversy you saw in the streets?—A. I heard there was going to be a speaking down to the opera house that evening, at 3 o'clock, I think.

Q. A meeting?—A. Yes, sir; denouncing Colonel Sims, I think. That was my understanding, and I started down there.

Q. You started to go to that meeting?—A. Yes, sir. I started to go down there, and I met a man running up before I got to the post-office, who said, "They are fighting down the street, and Hense Lawson was cut very bad;" and I hurried on down, and I saw a crowd standing around.

Q. When you first reached there how many people were there?—A. As near as I can recollect, there was about one hundred people.

Q. One hundred of each?—A. No; one hundred in all.

Q. How many of them were whites and how many colored?—A. I don't know as I could exactly divide them. It looked to me there was about the same number.

Q. What was the character of the crowd of colored people?—A. The colored people were standing mostly out in the street.

Q. Were they men, women, and children?—A. Yes, sir; they seemed to be men, women, and children.

Q. Gathered there from curiosity?—A. Yes, sir; it seems so.

Q. Did you see whether any of the whites had pistols?—A. Just as I got in the crowd the white people were standing on the sidewalk, and I would have had to go through them to get out where the colored people were. I staid on the sidewalk and saw Mr. Freeman, one of the police. He was the only policeman I saw, and he was advising them to "step."

Q. Did you see whether the white people had pistols?—A. They didn't have any pistols out then, but I saw a man standing in Mr. Ruffin & Woolfolk's office with a double barrel shot-gun, and two or three others standing down below. I saw them in front of the hardware store.

Q. With shot-guns?—A. Yes, sir. While I was standing there Mr. Freeman was telling them not to have a fuss.

Q. You saw four persons then with shotguns?—A. From four to six.

Q. With double-barrel shotguns?—A. Yes, sir; and Mr. Freeman seemed to be advising them not to have any fuss, and Mr. Hatcher, I know him very well, and I saw there was going to be a fuss, and while I was standing there on the outside of the crowd, Hatcher says, "Don't come after us; go on and make them negroes leave here."

Q. Who did he say that to?—A. To the police—Mr. Freeman.

By the CHAIRMAN:

Q. Repeat that.—A. He says, "Don't come after us; now, make them damn niggers leave here," and Mr. Freeman said, "They ain't doing anything now;" but he says, "You all must get off the street," and Mr. Hatcher started out in the street. Mr. Hatcher made a bolt out from him and started out in the street and told the men to stand with him and "we would kill the last one of them."

By Mr. VANCE:

Q. Who said that?—A. Mr. Hatcher. Then I got back. I started on up street and I met a good many colored people coming down and I advised them not to go down; several of them went on back up with me. When I got back—just about Paxton's jewelry store, I think—I heard a holloering and people were coming out of the opera house then.

By Mr. LAPHAM:

Q. What were they doing when they came out of the opera house?—A. They came out hollering. It looked like every one wanted to get before each other.

Q. Running?—A. It looked like they wanted to get into the hardware store.

Q. And yelling as they came?—A. Yes, sir.

Q. Could you hear anything they said?—A. No, sir; only just they were hollering; that was what called my attention, and I kept on walking up street and the firing commenced. I got up in front of the Arlington and the firing ceased then, but the smoke was so that I couldn't see any one at all.

Q. Where were you when the firing began?—A. I was at Mr. Paxton's jewelry store.

Q. How far from the people who fired?—A. I reckon about 25 or 30 yards.

Q. Could you see who fired?—A. No, sir; I could not.

Q. Could you see where the firing was from; from what point?—A. When the firing commenced I walked fast until I got out of reach of the pistols.

Q. Yes, but whether the firing was from the white people who were there or from the center of the street?—A. When the firing commenced the white people were standing both sides up from Ruffin & Woolfolk's office.

Q. But where was the firing from?—A. The firing was from the crowd. When Mr. Hatcher made those remarks I turned off, because I thought there was going to be trouble.

Q. What did they do when Mr. Hatcher said that?—A. The white people followed him out in the street; seemed to make a line.

Q. But that was before the firing began?—A. Yes, sir.

Q. How soon did the trouble commence after he said that and they formed in line there?—A. It was as soon as I could walk 20 or 30 yards; may be more.

Q. How many guns or pistols should you say were fired?—A. If I judge right I should say not less than one hundred and fifty. It was like any one might light a package of squibs and throw them in a barrel.

Q. A rattling fire?—A. Yes, sir. A good many wagons were standing around and horses when the pistols commenced firing and the wagons ran above me and I stood there and looked.

Q. Where did the colored people go when the firing began?—A. When the smoke got away so I could see, there was no colored people on the street that I could see, but a good many run by me whilst I was going on up.

Q. Did you hear any shots after they were fleeing?—A. I heard shots.

Q. After they commenced to run away, I mean?—A. I can't tell exactly when they did commence to run. When they run by me they were running and they were shooting then. The smoke blinded me so I couldn't see any one in the street. When the smoke cleared away I

thought there would be a heap more dead men than there were, from the fuss that the pistols made.

Q. Now, when the smoke cleared away did the white men remain in the street?—A. Yes, sir. And then I only saw Mr. George Lea, with a pistol. Then he walked out in the street with the crowd and seemed to point his pistol backward and forward across the street, but what he was pointing at I don't know.

Q. Did he fire?—A. No, sir; not that I know of.

Q. Did you hear any shouts from the whites there?—A. Yes, sir.

Q. What did they say?—A. I couldn't say, to understand.

Q. Now, as near as you can remember, what was it?—A. Just hollering and hurrahing.

Q. Hurrahing for whom?—A. I don't know what it was for, but they were hollering and just as they got right in front of the Arlington they stopped.

Q. You don't remember what the shout was as they were going up the street except that they were hurrahing?—A. No; and I cleared then and got on the revenue steps.

Q. That's all you saw of it?—A. Yes, sir.

Q. Are you a voter?—A. I am.

Q. How long have you voted?—A. I have been voting ever since I was twenty-one years of age.

Q. Was last year the first year the colored people could vote without paying the poll-tax?—A. I think it was.

Q. Didn't you have to pay the tax as a condition of voting always before last year?—A. Yes, sir.

Q. Did you vote?—A. No, sir.

Q. Had you registered?—A. Yes, sir.

Q. You intended to vote?—A. Yes, sir.

Q. Why didn't you?—A. The reason I didn't vote I was sent out in the country that day to hold tickets at Ringgold—to distribute tickets.

Q. Where is that?—A. That is about 5 miles from Danville.

Q. Did any colored people go there to vote?—A. Yes, sir.

Q. What proportion of the vote was out there?—A. I had never been to that precinct before, but they cast all the votes, I think, except about eighty.

By Mr. VANCE:

Q. You were sent out with tickets that day?—A. Yes, sir.

Q. Any of them voted?—A. Where, at Ringgold?

Q. Were any of those tickets voted by the colored men that day?—A. Yes, sir.

Q. The scare didn't reach out that far?—A. I don't know that they knowed much of it. It is 5 or 6 miles.

Q. Well, they are right on the railroad, are they not?—A. Yes, sir.

Q. The first station from town. Don't you reckon they had heard all about it?—A. Well, anybody that takes newspapers might heard about it.

Q. Don't the colored people have a sort of a grape-vine that communicates the news all around?—A. They used to say they did, but I don't think they use it now.

Q. You think they did vote out there because they hadn't heard of the trouble in town? Didn't you tell them about it?—A. I don't know whether they heard of it or not.

Q. Well, you just said you reckoned they hadn't heard of it; didn't you tell them all about it?—A. No, sir.

Q. Didn't you tell them they had better not vote ; it was dangerous?—
A. No, sir.

Q. You didn't tell them that?—A. No, sir.

Q. You staid all day, did you?—A. I did.

Q. Didn't come in town in time to vote yourself at your own precinct?—A. No, sir ; I did not.

Q. Didn't the colored people or Coalitionists carry the box there at Ringgold?—A. They did.

Q. How large majority?—A. About 40 votes, I think. I think that's it. I am not certain.

Q. Well, it was a majority, at all events?—A. Yes, sir.

Q. How many did they cast that day there altogether, the Coalitionists?—A. I don't know how many.

Q. Was it not about 400?—A. I don't think that many.

Q. Come down to exact figures ; was it not 367 votes they cast that day?—A. I don't know exactly the number, but I think we had a majority of 40.

Q. You said you heard there was going to be speaking in the opera house to denounce Mr. Sims?—A. Yes, sir.

Q. And you went down to hear it?—A. Started down.

Q. Who told you they were going to denounce Mr. Sims?—A. I heard it around town.

Q. That don't answer my question.—A. I couldn't recollect now who did say it.

Q. Did any other colored people go down that way for the same purpose?—A. Yes. I know one man who went down there, and he told me he was not admitted.

Q. Yes, he went down to see what they were going to do about—
Mr. LAPHAM. Went down to hear what they were going to say.

By Mr. VANCE :

Q. Did you hear Sims speak the night before?—A. Yes, sir.

Q. What was it he said now that made the white people mad?—A. I don't know what made them mad. I know I was up there about the time. I heard some of the speech.

Q. What was it he said?—A. I don't know. I can't go and repeat the speech.

Q. I don't want you to do that ; God forbid ; but you can give us some of the salient points. What did he say about the men who signed that circular?—A. He said, I think he said, the men that signed that circular, living in town, knowing that it was a willful lie, were scoundrels, or something like that.

Q. Well, didn't he tell the colored men not to be afraid—that they might shoot them in the dark?—A. No, sir ; I didn't hear him say that.

Q. It was a bitter speech, wasn't it? Hot and bitter?—A. No more bitter than I have heard both parties abuse each other.

Q. That is not an answer to my question. Was it not a hot, bitter speech?—A. I am not a judge of politics and I can't say whether it was hot and bitter or not.

Q. Well, when a man is called an infernal liar and scoundrel, that is tolerably warm, isn't it?—A. That is something I would not like to take.

Q. Didn't you all apprehend that Mr. Sims was going to be assailed on the streets that day?—A. I did in the morning of that day.

Q. Didn't most all the colored people that you saw think the same thing?—A. I couldn't say that they did.

Q. Don't you think it was the general talk and understanding that

he was in danger of being assailed?—A. I heard Colonel Sims tell about that night, if there was any one there that had to write him a challenge he would go to North Carolina right away with them.

Q. That he would go with them anywhere if they would send him an invitation?—A. He said he would go with them to North Carolina.

Q. Have you said, or do you decline to say, that it was the general understanding among the colored people, that Mr. Sims was in danger of being attacked?—A. No, sir; I don't say it was a general understanding among the colored people.

Q. But some of them did think so; you for one?—A. Yes, I thought probably he might be attacked.

Q. Do you know of any colored man going armed, keeping along on the streets on the watch out?—A. When, at night?

Q. During the day.—A. No, sir; I don't.

Q. Don't you know that a number of them were on the street armed, walking up and down to look out and see if anybody was going to jump on Mr. Sims?—A. You ask me don't I know it?

Q. Yes.—A. I do not.

Q. Didn't you hear it?—A. No, sir.

Q. Neither know nor heard it?—A. No, sir.

Q. You said when you got down to where the fuss was, you saw about a hundred people present, all told?—A. Yes, sir; I think so.

Q. And about an equal number of white and black?—A. I don't know exactly, but that is what I think.

Q. But the most of the blacks were women and children?—A. I didn't say that.

Q. What do you say now?—A. I said there was some women and children there.

Q. How many?—A. I don't know.

Q. I will put it this way. What proportion, a half, or a quarter, or a third, or a fifth, or a tenth, of the crowd of black people were women or children?—A. It may be three or four women and children down there. I saw people rushing up as I was.

Q. How close up did you go?—A. I got pretty close upon them. I had to go through the white people mostly to get where the fight was. I didn't see the fight.

Q. Just tell me what it was you heard Mr. Hatcher say.—A. I heard Mr. Freeman; he seemed to be advising them not to have any fuss, and Mr. Hatcher says, "Go away from here; don't say anything to us; go on, and make them damn niggers leave here;" and Mr. Freeman says, "They are not doing anything now." He said, "Damned if you don't make them go away we will kill the last one of them, and them that protect them."

Q. Did you see anybody else try to disperse the crowd and keep the peace?—A. No, sir; I don't know as I did.

Q. It is said by other witnesses that several men were mingling in the crowd, Mr. Booth, Mr. Corbin, and the colored policeman, Walter Withers, and some others, and that Captain Oliver made a speech and begged them to go away, and so on. Did you hear any of those?—A. No, sir; I did not.

Q. Not a thing?—A. No, sir.

Q. Now, who got the white people out on the street and made a line?—A. Hatcher.

Q. What did he say to the white people?—A. When he said that, "We will kill them all and them that protect them," he said, "Stick to me," and he led them out in the street.

Q. Off the sidewalk?—A. Yes, lead them out; maybe probably as many as a dozen went out, and I turned my back and started away and met some colored people coming on down, who asked me what the trouble was, and I just told them to go away now.

Q. By whose advice was it you left, or did you go of your own motion?—A. I didn't want any advice then.

Q. You didn't need any advice except circumstances?—A. No, sir.

Q. How far did you get up before you halted?—A. My attention was called then by hearing people hollering and running, and I looked back and they was coming out of the opera house.

Q. Which way did you go when you left, up or down street?—A. Up street.

Q. When you heard the people hollering where were you on Main street?—A. I was just in front of Paxton's jewelry store.

Q. How far is that from the opera house?—A. I reckon it is about 50 or 60 yards.

Q. Why, it is more than that to the corner of Market street, ain't it?—A. I don't know exactly how far it is.

Q. Well, it is nearly two blocks, isn't it?—A. Nearly two blocks?

Q. Yes.—A. No, sir.

Q. Is not the opera house one block from Market street?—A. No, sir.

Q. What street is the opera house on?—A. On Main.

Q. And what is the street next to it on the other side, crossing Main; North Market street?—A. North Market street—no, not Market, I reckon. Well, it is the street that runs right by Mr. Averett & White's shoe store. I don't know what the name is. It's an alley.

Q. Well, then, you heard the hollering?—A. Yes, sir.

Q. People coming out of the opera house?—A. Yes, sir.

Q. Now, how long was it from the time the people got out of the opera house until the firing began?—A. It seemed to be one minute. I don't say everybody was out of the opera house.

Q. Well, I know. A part of them came out?—A. Yes, sir; a part of them came out.

Q. How long then until the firing commenced after you heard them hollering as they came out of the opera house?—A. Some gentlemen came running and hollering, looked like they was trying to get in front of each other, and some run away out in the street.

Q. That still don't answer my question. I say how long after you heard that hollering until after the pistol shots commenced?—A. I couldn't tell you.

Q. You could get tolerably near it, I reckon, just to oblige me. Was it as much as a minute?—A. Probably a minute.

Q. Was it as much as two minutes?—A. I said probably more than a minute. I couldn't tell you exactly.

Q. I know you couldn't, but you could to the best of your judgment?—A. That is to the best of my judgment; that's what I think, if you want me to say it.

Q. Had all these people that had come out of the opera house got up to Woolfolk & Blair's before the firing began?—A. The people come out of the opera house looked like they struck across the street.

Q. Well, they struck across to the hardware house?—A. I saw them in front of the hardware store.

Q. No; you said they ran to the hardware house.—A. I don't say where they ran; I say the hardware store is nearly opposite where they came out of the opera house.

Q. Whose hardware store?—A. Joplin's.

Q. That is not opposite the opera house.—A. I didn't say it was opposite; I say it is nearly opposite.

Q. It is away out near Market street, isn't it?—A. Yes, sir; first door from the corner.

Q. Did they run over for that hardware house?—A. I can't say they run in it.

Q. That is what you said before; they ran like they were going to the hardware house. Did you see any of them go in?—A. I didn't take enough notice of them to see them go in.

Q. How long after that until the firing began?—A. Well, it was a minute, and probably more, to the best of my judgment; I couldn't tell.

Q. Now, you being up to Paxton's, you could not tell how many of the whites had come up before the firing began, could you?—A. No, sir.

Q. You say there was about a dozen white people followed Mr. Hatcher out in the street?—A. I say I can't say certain that there was that many.

Q. Well, you looked back during the firing and couldn't see anybody for the smoke?—A. Yes, sir.

Q. There were people running by you at the time?—A. Yes, sir.

Q. And after the smoke lifted you say there were no colored people to be seen on the street?—A. I say I could not see any.

Q. Well, none to be seen by you?—A. Yes, sir.

Q. How long was that now after the firing ceased until the smoke lifted and you could not see any colored people?—A. Well, so I could see, I think, down street tolerably clear it was about three minutes; because I know I looked down and expected to see the street lined with dead men and did not see any dead men at all.

Q. Now, when you looked back and could not see for the smoke, did you hear any firing of pistols?—A. The firing had ceased when I looked back.

Q. And then it was some three minutes until the smoke rose so that you could see clearly all over the streets and there were no colored people that you could see?—A. Yes, sir.

Q. Which way did you go then after it was all over. You say you saw Mr. Lea and some white men, and Mr. Lea was pointing a pistol, but not firing?—A. No, sir.

Q. Which way did you go then?—A. I stopped at my mother's; she called me and asked if anybody was hurt, and I kept on up to the revenue office.

Q. Where is the revenue office?—A. Just above the Arlington.

Q. Just above the Arlington on Main street?—A. Yes, sir.

Q. As you passed on up did you see or hear any firing up the street about the Arlington?—A. No, sir; I did not.

Q. Did you hear any at all that evening about the Arlington?—A. No, sir.

Q. When you passed on up the street did you see Mr. Cabell calling the crowd up and making a talk to them?—A. When I passed on up the street I was above the crowd then.

Q. Well, you can just say you didn't see Mr. Cabell, if that is so.—A. No, sir; I did not see him when I passed up the street.

Q. But you know that the crowd came on up and that Mr. Cabell assembled them on the steps of the old post-office and made a speech?—A. Yes, sir.

Q. How long was that after you had passed up?—A. When that crowd stopped there, I reckon it was about five minutes.

Q. Well, that is about reasonable. Now, between the time that you

passed up along by the Arlington to your place of business and the time that Mr. Cabell assembled his crowd there to make a speech, did you hear any firing about the Arlington?—A. Between the time that I passed up the street and the time Mr. Cabell was making that speech?

Q. Yes; and when you left the scene of the general fight down there and passed along up street as you have described and talked with your mother and going on to the post-office, then you say it was about five minutes after that until Mr. Cabell's crowd assembled there for him to make a speech?—A. Yes, sir.

Q. Now, between the time of your passing up and Mr. Cabell's crowd assembling to hear him speak, did you hear any guns fired about the Arlington?—A. I did not.

Q. Did you hear any more pistols fired on the street after the firing had ceased down at Woolfolk & Blair's?—A. Any more when?

Q. That evening?—A. I heard several more fired between 6 and 8 o'clock that night.

Q. I mean before dark. That was the end of the row, so far as you saw, when you left and came on up the street?—A. The riot?

Q. Yes?—A. Yes.

Q. Did you hear the fire bell ring that evening?—A. Yes, sir.

Q. Where were you when you heard the fire-bell ringing?—A. I think I had gotten to the revenue office, and was standing up in front of the door.

Q. You was at the revenue office and standing in front of the door when the fire bell rang?—A. Yes, sir.

Q. Did you belong to the fire company?—A. I did not.

Q. You didn't have to go?—A. No, sir.

Q. When you heard the fire bell ring was that before or after the crowd was listening to Mr. Cabell? If you were not there when Mr. Cabell spoke you cannot well tell, I suppose?—A. I wouldn't say for certain, but I think it is about the time the crowd was there in front of the Arlington, or coming up to the Arlington, when the fire bell rang.

Q. And you were at the door of your place of business?—A. Yes, sir.

Q. I want to understand you on one point. How far down is the farthest you went when the fight was going on?—A. How far down?

Q. How far below Paxton's?—A. I went to Mr. Ruffin & Woolfolk's office.

Q. You went opposite the office?—A. Yes, sir.

Q. On the sidewalk or in the street?—A. On the sidewalk.

Q. Where did you see men with shotguns?—A. It was one man standing in front of Mr. Ruffin & Woolfolk's office.

Q. That was Mr. Dance, wasn't it?—A. I don't know.

Q. Standing in the door?—A. Standing sort of front of the door.

Q. Now, where else did you see any man have a shot-gun?—A. There were two or three men with double-barrel shotguns standing between the hardware store and Mr. Ruffin & Woolfolk's office.

Q. Whose hardware store?—A. Vass & Company.

Q. Did you know these men?—A. No, sir; I did not.

Q. Did not know either of them?—A. I didn't take any pains to learn who they were, because when I saw they were shotguns I thought there was danger and I left. They were standing back behind the rest of the white people.

Q. Now, that is three shotguns. You told Mr. Lapham there were from four to six that you saw.—A. I saw there was two or three, probably more, but I know I saw them men.

Q. Are these all you can recollect, two men standing between Woolfolk & Blair's and the hardware store, and one man standing near or in the door of Woolfolk & Blair's?—A. I didn't say two men.

Q. Well, you said you saw two shotguns?—A. No; I said two or three.

Q. Well, have it that way.—A. It may be more, but I don't think it was over half a dozen.

Q. Now, can you tell us somebody else that had one except those you saw right there?—A. I haven't told you who did have one.

Q. Suppose you do?—A. I don't know.

Q. You don't know?—A. No; because I didn't stay there long enough to notice who they were.

Q. Probably you didn't take notice enough to know whether they were shot-guns or not?—A. Well, I have seen shot-guns.

Q. Probably about that time a small pistol looked to you like a shot-gun, and a shot-gun looked like a columbiad.—A. The pistols all looked large and the shot-guns still larger.

Q. In passing up Main street by the mouth of Union, did you see those two dead colored men?—A. No, sir; I did not.

Q. Were they not there when you passed up?—A. I don't know.

Q. You didn't see those dead men there at all?—A. No, sir.

Q. Do you know Addison Coles?—A. Yes, sir.

Q. Did you see him?—A. No, sir; not that I know of.

Q. Did you see the wagon of Adams that had run away?—A. Three or four wagons run by me up the street.

Q. Did not you see one that had run against the lamp-post where Mr. Addison Coles was standing?—A. I don't know where he was standing; I don't know as I saw him.

Q. Why you must have seen him.—A. Well, I say I didn't see him.

Q. You did not see him?—A. No, sir.

Q. You must have seen Motley that was with him; don't you know Motley?—A. No, sir.

Q. Didn't you see him?—A. No, sir.

Q. Did not see either of these men?—A. No, sir.

Q. You swear you did not see them?—A. Yes, sir.

Q. You swear you did not see either of these men?—A. Yes, sir; I swear I did not see them.

Q. Didn't you see Johnson standing there on the corner?—A. No, sir; I did not.

Q. You did not?—A. No, sir.

Q. Were you afraid to vote on election day?—A. Was I afraid to vote on election day?

Q. You heard my question, didn't you?—A. I don't know as I did hear you; I ask you is that what you say. I can't hear very good.

Q. Well, now, you have had time to make up your answer. Were you afraid to vote that day?—A. No, sir; I was not.

By Mr. LAPHAM:

Q. You went back before the firing commenced up street?—A. Yes, sir.

Q. And walked back up as far as where your mother lived?—A. No, sir; not before the firing commenced.

Q. Well, you went up some distance before the firing commenced?—A. I went up as far as Paxton's jewelry store.

Q. How long did you stay there?—A. Then my attention was called——

Q. How long did you stay there?—A. Well, I was walking along.

Q. You didn't stop?—A. I didn't make no stop.

Q. That was what I supposed. You walked along until you got to your mother's?—A. I stopped and looked down street.

Q. You turned and looked back, but did you stop at all?—A. My attention was called when I got to Paxton's jewelry store.

Q. But did you make any stop?—A. I turned and looked back at this fuss.

Q. And then you kept on?—A. Yes, sir.

Q. Whereabouts does your mother live?—A. The third door from the Arlington.

Q. How long did you stay there?—A. Until the crowd stopped firing, and went up street.

Q. Then you went on to the revenue office?—A. Yes, sir.

Q. Then it was not a great time from the time you saw the men move out in the street, you describe, before you got back to the revenue office, was it?—A. No, sir.

Q. The fire-bell didn't ring until you got back, did it?—A. Did it ring until I got back?

Q. In other words, had you not got back to the revenue office before the fire-bell rang?—A. I had.

Q. Now, wasn't it after that that the meeting gathered there; that Colonel Cabell addressed the crowd?—A. I couldn't say exactly.

Q. You don't mean to say he was addressing a meeting while the bells were ringing, do you?—A. I say I couldn't tell exactly, but I think it was after the fire-bells had rung.

Q. Are you able to tell how long that was; how long did the fire-bells ring?—A. I reckon they rung about two or three minutes; they rung very fast.

Q. Did you see people running in the streets?—A. Yes, sir.

Q. When the bells rang?—A. Yes, sir.

Q. Now, hadn't they returned from that alarm, or what was supposed to be an alarm, before this meeting?—A. I didn't see them come back, because I stayed up street, and it was a good distance, and I couldn't have seen if they had come.

Q. What time did you go to Ringgold on election morning?—A. I left Danville at 5 o'clock.

Q. You were at Ringgold all day?—A. Yes, sir.

Q. Did you see any white people there from Danville?—A. Yes, sir; I did.

Q. Did they have arms?—A. Well, they had pistols.

Q. Visible?—A. I could see them in their pockets.

Q. Well, the pistols were hanging out of their pockets?—A. Yes, sir.

Q. How did they come there; how did the people that you saw with pistols come there?—A. They came on horseback and in buggies.

Q. Did not some come on the trains?—A. Yes, sir.

Q. They came on rail, and on horseback, and in buggies?—A. Yes, sir.

Q. How many?—A. Well, five or six, I reckon, came horseback.

Q. Can you give the names of any?—A. I can.

Q. Give them.—A. Mr. Ned Lambkin was one, Mr. Charles Sneed, Mr. Richard Poorman, Mr. Green Williams, and Mr. Allen Peyton. I think that is as many as I can give.

Q. They all live in Danville?—A. Yes, sir.

Q. What time did they go up there?—A. They come down there, I reckon, about 4 o'clock, I think.

Q. All come at once?—A. Yes, sir; all of them come at once.

Q. You think there were eighty of the colored people who didn't vote there?—A. I think that is the number.

Q. Were these pistols that they had plainly to be seen?—A. Well, I saw some of their pistols in their pockets.

Q. Do you know what they were there for?—A. No, sir; I do not.

Q. Did they make any movement that you saw?—A. No, sir; they got down and tied their horses and went up where the white people were.

Q. Up where the polls were?—A. No, sir; they didn't go exactly where the polls were; the white people were standing at the depot, and in a few minutes a freight box came down there full of people.

Q. What do you mean by a freight box?—A. One freight box with an engine attached to it.

Q. Full of white people?—A. Yes, sir.

Q. Were they Democrats?—A. I don't know; I didn't look to see whether they were Democrats or not.

Q. Were they from Danville?—A. Yes, sir.

Q. Were they people whom you know?—A. I knew some of them.

Q. Don't you know whether they were Democrats or not?—A. I didn't know but one man on the car.

Q. Was he a Democrat?—A. Yes, sir; Mr. Hurt.

Q. Well, were those you have named Democrats?—A. Yes, sir.

By Mr. VANCE:

Q. You say white people, Democrats, went down from Danville?—A. Yes, sir.

Q. Did any colored men go down, too?—A. I went down there from Danville. I staid down there all day.

Q. Any more besides you?—A. I don't know that there were.

Q. Did any of your political party go down there?—A. No, sir; I tried to get—what do you mean, from Danville?

Q. Yes, from Danville.—A. No, sir; I tried to get them to go in my place. I wouldn't have went myself, only the tickets were not up there and had to be carried down.

Q. Well, is it not a custom to come out from town to electioneer in country precincts?—A. Yes; we generally sends men out to our precincts.

Q. There is no harm in that, is there?—A. No harm in sending men out? I don't think it is.

Q. Did the white people who went down there interfere with any of the colored people?—A. Not that I know of. I left after I saw the crowd coming down there.

Q. Did you get scared?—A. I didn't think I was safe down there.

Q. Well, you told me in your examination awhile ago that you staid in Ringgold all day—didn't go home?—A. No; I didn't say I staid all day. I say I went down there—tickets down there.

Q. Where did you go then, back to the whites?—A. I left Ringgold then. It was dark when I got home. When the crowd came I left.

Q. Had the polls closed when you left?—A. No, sir.

Q. How far is it from town? It was dark when you got to town?—A. Five miles to go.

Q. What time did you get there in the morning?—A. I got there about 6 o'clock, before sunup.

Q. Well, you were the first man on the ground, then, from town, were you not; and you left there, how far from sundown?—A. I didn't have the time with me and it is hard to tell always.

Q. Well, give us country time; how high was the sun up?—A. Well, it was cloudy, and it was rainy just about the time, and I started off pretty soon after they got there.

Q. But still the sun was in the heavens, giving light, notwithstanding it was raining; how long before sundown do you think it was?—A. The cloud was betwixt me and the sun, and I couldn't tell.

Q. Well, give us an idea?—A. I think it was about 4 o'clock.

Q. You went there and staid from 6 o'clock until 4?—A. Yes, sir; I staid down there.

Q. What time did the white men come out?—A. Which white men do you mean; from Danville?

Q. Yes.—A. They come down there, I think, it was between 3 and 4 o'clock.

Q. They were rather too late to do any good, were they not; the votes were nearly all in at that time?—A. Yes; they put them in pretty fast.

Q. Well, they were pretty nigh all in by that time, were they not; it is rather bad electioneering to send men out at 4 o'clock in the evening, isn't it?—A. I didn't say they went to electioneer.

Q. What did they go for, then?—A. I don't know.

Q. You don't swear, then, that they went to interfere with the sacred right of suffrage guaranteed by the amendments to the Constitution of the United States?—A. Why, of course not.

Q. You say you saw pistols on some of them?—A. Yes, sir.

Q. How many?—A. Well, I saw two or three pistols in the crowd.

Q. Of the white men that went out from Danville?—A. Yes, sir.

Q. Did you see the pistols themselves or the shape of the pistols through the cloth?—A. I saw the pistols themselves; I didn't say I saw the pistols by shape; that would not be seeing the pistol.

Q. Yes, it would, with a certain degree of indistinctness, but it would be to see the pistol. Can't you see a bundle in a man's pocket through the cloth?—A. No, sir; I can't.

Q. Well, I have seen many a one.—A. You might say it; you couldn't say for certain.

Q. Well, that precinct you went to, somebody told you there was some 80 colored votes that didn't come up.—A. But the people around there told me——

Q. Was not the vote of the colored people polled there that day larger than any they had polled there for many years?—A. I don't exactly know what vote was polled there. I'd never been to that precinct in my life.

Q. That is a Democratic precinct; has been for many years, has it not?—A. The Democrats carried it, but I don't know whether they got a majority or not.

Q. Well, they carried it by some sort of fraud or chicanery, didn't they; they carried it?—A. I think it went for Mr. Cabell for the Congressional election.

Q. Well, they had for several years past, hadn't they?—A. That was year before last.

Q. Well, I say for several years past that that has been called a Demo-

cratic precinct; is not that so?—A. I think Mr. Cabell carried it, and I think President Garfield carried it by 8 votes.

Q. Don't you know how these precincts voted; don't you learn at the custom-house; don't you keep there a list of the precincts, and voters, and everything?—A. No, sir; not that I know of. I hardly ever have anything to do with it. I hardly ever have anything to do with the condition of the precincts. I couldn't tell the majority in half a dozen precincts in the county.

By Mr. LAPHAM:

Q. Did the colored people vote any after these people came up with pistols?—A. I left.

Q. Did you see any colored man vote after they arrived there?—A. No, sir; I left right away.

Q. And there were 80 votes out yet, as you understand?—A. Yes, sir.

Q. Did you leave because they came there?—A. Well, after seeing that shooting around Danville it——

Q. Did you leave because they came there; cannot you answer me?—A. I didn't feel safe there——

Q. Did you leave because they came there?—A. Yes, sir.

Q. And went home on foot?—A. Yes, sir.

Q. Why didn't you go back on the cars?—A. The train wasn't there.

Q. There would have been a train, wouldn't there?—A. I think the train gets there about 6 o'clock.

Q. Well, why didn't you wait for the train?—A. Because I wanted to go then.

WASHINGTON, D. C., *February* 21, 1884.

JOHN D. BLACKWELL sworn and examined.

By the CHAIRMAN:

Question. Please state your age, residence, and occupation.—Answer. I am forty-six years old; I am attorney at law by profession, and since 1869 have been a resident of the town of Danville, Virginia.

Q. Have you at any time served in a judicial capacity?—A. I have, and am so serving now.

Q. What position?—A. Judge of the corporation court of the town of Danville.

Q. Were you in Danville on the afternoon of Saturday, 3d of November?—A. I was.

Q. Did you see the shooting that occurred on Main street that day?—A. I did.

Q. I wish you would state in as mathematical and chronological way as you can, the events of that day as you saw them transpire?—A. Somewhere about three o'clock on that day I was seated in the law office of Crowenpecker and Blackwell, which is in the same building with Jones's drug store, in the second story of that building fronting on Main street. The law office has two windows, both of which front upon Main street. It is almost immediately opposite the office of Ruffin, Woolfolk & Blair. The street there, including the sidewalk, I suppose is from 60 to 65, possibly 75 feet. I was seated with my back to one of the windows in conversation with Daniel Dugger, who was standing facing the window, lighting his pipe or cigar at the stove, and I heard a great yelling upon

the street and so did he. We immediately ran to the window which was very near me and threw the sash up. On looking out I saw a white man whom I presently recognized, as I thought, to be Mr. Noel, beating a negro, who from his appearance I supposed to be Hense Lawson. He had the negro by the left hand, either about the collar or lappel of the coat, and was beating him with a stick over the head. The negro had his arms up this way [indicating], his head bowed down so and his arms up appearing to ward off the blows, and he was yelling as loud as he could bawl "murder." The word murder I could hear distinctly, and I may add though, at the time, I was very deaf and that while I heard that word distinctly repeated several times I did not hear another articulate word that was uttered there.

Q. You are a little deaf, are you?—A. I was very deaf then from a long course of quinine; I had scarcely recovered from a long illness of fever. I saw at the same time two white men, one of whom I easily recognized as Mr. George Lea, the other, whom I did not positively and don't now know, but I suppose it to be Mr. Taylor, from his appearance. They both had pistols presented in the direction of the white man and negro who were in collision. I also saw at the same time a colored policeman. There were at that time two colored policemen upon the force, and this, I thought, though I don't know and didn't then know, was the one named Withers. The policeman was standing quite near to the persons in conflict, and the pistols were presented in that direction.

Q. Did Withers have a pistol?—A. Not that I saw. I also saw two or three others, may be three or four white persons standing, one looking through the window of the office of Ruffin, Woolfolk & Blair, another standing at or in the door of the adjoining office, the office of Mr. Catlett, another insurance agent there, and I saw several negroes, possibly half a dozen, standing near, upon the street near the sidewalk, evidently watching the difficulty. The same cry that alarmed Mr. Dugger and myself I suppose alarmed people generally, and in a much less time than it takes to tell it a number of persons collected there—white men coming from all directions and congregated upon the sidewalk—negroes coming from all directions and congregating in the street or near the sidewalk, all of them standing and looking on. In a very short space of time the number of whites upon the sidewalk in and about it increased possibly from twenty-five to forty; the majority of whom, however, stood a little up a few feet off the upper portion of the walk, and the lower portion of the walk above and below where the difficulty was going on, standing looking on. The negroes, as I said, in the street looking on. About that time my attention was attracted by a large, powerful man, a negro, who seemed to be with a lot of wagons standing almost beneath my window; he ran across the street, and ran to where Mr. Lea was standing.

Q. Was that Adams?—A. I didn't then know, and I don't certainly now. I never saw Adams until I saw him testify here yesterday or the day before.

Q. Was it the same man, so far as you could tell?—A. So far as I could tell, it did not appear to me to be the same man. From what I have learned since, though, I have no doubt it was the same man, though I didn't recognize him. He ran across the street and seized Mr. Lea by the hand or arm and by, the pistol as well as I could tell—I thought by both—and appeared to be trying to wrench the weapon from his grasp. He did not, however, succeed. He did succeed, however, in pulling Mr. Lea down upon the pavement; that is, partly I thought, upon the sidewalk and upon the gutter immediately adjoining the sidewalk. He fell

flat upon his back—the negro, I didn't hear him, but I thought, of course, he would then carry out his purpose, which was evidently to disarm him. He did not, however. He suddenly and very quickly jumped up—from what reason I could not say—and ran back across the street toward the wagon where he had been standing, in the exact direction from whence he had come. When about two-thirds of the way across the street Mr. Lea had regained his feet and raising his pistol, took deliberate aim at him and fired. It was evident, though, he didn't strike him. There was no appearance of his being hurt. The shot, however, alarmed some persons whom I could not see, standing in Mr. Graves's door, beneath my window. They screamed and shrieked—they were evidently female voices—but I didn't know who they were. I could not see. During the time my attention was attracted to this negro and Mr. Lea, in some way, I don't know in what way, the white man whom I supposed to be Noel and the negro whom I supposed to be Lawson, had become separated, and for a moment I saw this man, I still think to be Lawson, standing there, but only for a moment; I never saw him afterward to know him. If it was Lawson I never saw him until I saw him in this room. During all this time persons continued to come, of both colors, the negroes in that portion of the street on the opposite side where the difficulty was going on and the whites on the sidewalk. Some one took hold of Mr. Lea and carried him up the street a few steps, Captain Oliver—

Q. How took hold of him?—A. Took hold of him as if to take him off to remonstrate with him about something. I only judge that from the manner in which it was done. And Captain Oliver came down there, and from his appearance I thought was trying to preserve order. I also saw Mr. Hatcher there. Mr. Corbin I did not see at that moment. I saw him a few moments thereafter; Mr. Jordan and Motley, a gentleman who is not a citizen of Danville, but lives in the county of Pittsylvania, probably 6 or 7 miles from Danville. Presently some one touched Captain Oliver on the shoulder and took him off a few moments, I thought, to make some suggestion.

While these two persons had off Mr. Lea and Mr. Oliver, just a few steps up the sidewalk, in plain view, I could see that Mr. Motley and Mr. Hatcher and two or three other whites, whom I did not recognize and do not know now, were apparently conversing in a very excited and angry manner with the negroes in the street. I could not hear what they said, but could see from the motion of their jaws and lips that they were in conversation with three or four negroes in the street, who evidently replied to them in the same excited manner, as I inferred from their gesticulations, raising up their hands, but I could hear nothing, as I say. At that time the difficulty, such as it was, which I supposed was a street fight between a white man and a negro, which frequently occurs in our streets, was at an end, when suddenly, to my surprise, I saw a line of whites, fifteen, possibly twenty—somewhere about that number—station themselves, a great majority upon the sidewalk, but several of them, from three to six, perhaps, out at the upper end of the street, out in the street, and they presented pistols.

Q. Along the line of the street or across the walk?—A. Well, somewhat of a curved line. Here, for instance [illustrating], is the sidewalk, the edge of this book; this is the upper portion here, and that the lower. They aligned themselves along here until they got up here, and then curved out slightly into the street. I thought that that curvature in the line was probably produced for two reasons: Immediately in front, I think, of Woolfolk & Blair's office is a low, but very thick and stout,

horse block, and that seemed to separate the line rather into two parts. There were whites standing back there at that time, fifty, possibly seventy-five, but they had nothing to do with this line that I saw; and another thing that I thought the line curved with the street for was that the negroes were ranged rather in this way [illustrating].

Q. In the form of an egg?—A. Yes, sir; rather of an oval. They suddenly presented the pistols, and I heard the click; I was very much surprised at it; it was done so quickly. The negroes there, seeing the pistols or hearing them click, I don't know which, probably both, immediately turned as quickly as they could and run. By the time their backs were fairly turned—some of them I reckon had not been able to turn—the firing commenced. The discharge was a volley that was delivered as if it had been by disciplined soldiers. I never on a battle-field heard a volley delivered as well together as that was. After that it was continuous firing, as if soldiers were firing at will. Each man apparently shooting as quickly as he could, but to my great astonishment I saw no effect from the bullets; no one seemed to be hurt at all. There were some shouts, some screams too, from the negroes, as they ran, but that was apparently from fright. They ran nearly all of them down the street in the direction towards my right and below me.

Q. That is down Market street, is it?—A. In that direction, toward what I designate South Market street. And evidently the great majority of them, I think, must have gone down that street, because they disappeared from my view so quickly; but a portion of them, when they got down to Market street where it crosses Main—a few of them—evidently went down. I could see them down Market; a portion of Market street I call North Market, although it is not half so wide a street as Market street proper, or South Market. The only person that I recognized firing there was Mr. George Lea; and I think probably I would not have recognized him, but he was there the first man at the end of this curved line, or the second, I don't remember which. The others I did not recognize; don't know who they were. The firing was done very quickly, and the negroes as speedily as possible disappeared from view. Before, however, this firing commenced, I omitted to state that in looking out of the window I saw young Mr. Dance, then a clerk in the firm of Ruffin, Woolfolk & Blair, now a member of the firm of Ruffin, Blair & Dance, standing in the door of Ruffin, Woolfolk & Blair's office, with a double-barrel shot-gun, holding it up in this direction. [Indicating.] He seemed to be standing there looking at the fight going on with the crowd of negroes; but he made no use of the gun, either at that time or subsequently, that I saw. The only shooting after that that I saw was some shooting done by Captain Graves here, the gentleman sitting to my right. I first saw him (I do not know from whence he came) standing near the junction of Main street and North Market, rather slightly in Main street, as I thought, and not far from the corner of White & Averett's shoe store. I was looking out of the same window. My attention was being attracted up the street by some noise that I heard (I don't know what caused it), and I heard the report of the fire-arm down the street in that direction. It made more noise—sounded more like the report of a rifle to me than the report of any other fire-arm that I heard during the day. I immediately went to the other window, which by that time Mr. Dugger had thrown up, and I saw Captain Graves aiming a pistol, and he instantly fired it, almost as soon as I saw him, apparently in the direction of Nicholas & Hesberg's saloon. It is known in Danville, there, as the "Border House." It is a saloon that has been spoken of here. He then fired a second shot

down North Market street; I could not see at what object he aimed or fired with either of those shots; whatever it was was beyond my line of vision. He then presently, after a brief pause, turned around, or partly around, and fired, shooting, apparently, down South Market street.

By Mr. VANCE:

Q. Is that three shots?—A. Yes, sir; I never saw him shoot but three times.

Q. In which direction was the second one?—A. The second one was down North Market street, as well as I could see. The third, as well I could see, was down South Market street; but in neither shot could I see out the way he aimed. Whatever object he shot at, whether a thing or person, was beyond my line of vision. The next shooting that I saw was one that amused me somewhat, though it did not amuse my sight at all when I saw it. I heard, a moment after Captain Graves's last shot, and he was slowly passing up the street in the direction of the Arlington House, a very loud yell, rather a whoop, and looking out of the same window I saw Mr. Blunt coming at what you might call a double quick, apparently from the direction of Joplin's hardware store. He had his black silk hat in his left hand, and had a revolver in his right. He got out about the middle of Main street; he turned around certainly once or twice, or possibly three times, rapidly on his heel, spinning like a boy's top, giving a tremendous yell, and flourishing his hat as he did so, and after turning around he fired his pistol up in the air, at an angle I suppose of 75 degrees.

Q. He fired certainly?—A. Yes; and I suppose three times. He presented to me the appearance of a man in excitement, and I have no idea he knew what he was doing. That was the last shooting I saw, and the last report of fire-arms I heard. About that time, and immediately thereafter, citizens came from down the street, and up the street too.

Q. White citizens or black?—A. White citizens, who evidently had nothing to do with the shooting that I have described—evidently not there—came with pistols, and many of them with shot-guns. They went up the street walking, not rapidly, but a good gait—scarcely fast—in the direction of the Arlington House. The alarm bell then rung, and, from what I ascertained that evening I suppose quiet was speedily restored.

Q. I wish now you would describe the appearance, condition, and conduct of the colored people as they gathered; who they were, whether armed or not, and what resistance they made.—A. Who they were I do not know. It was a crowd of negroes there assembled in the street. At no time did those in the street number more than one hundred and fifty. I doubt if there was scarcely that many; but I will say one hundred and fifty. The large majority of them seemed to be standing there gazing at a fight, as people, both white and black, down in our country (and I reckon everywhere else) are foolish enough to do—run to a fight—looking at it. The only appearance of anger that I saw on the part of these negroes was this large man—I have no doubt it was George Adams—who was trying to wrench the pistol from Mr. Lea, and these three or four in the street, evidently replying to the white men—talking to them; made no hostile demonstration in any way, shape, or form to the whites that I saw. They made no efforts at violence whatever; and as to weapons, I never saw a negro have a weapon of any description, or have the appearance of one.

Q. In the crowd?—A. Yes sir; not one.

Q. How was it composed in respect to sexes and ages?—A. Most of those in the street who congregated looking at the fight were evidently grown men. I saw perhaps a dozen negro chaps, that from their size I should judge were from ten to fifteen years old, and may be more than a dozen; and down to the lower part of the crowd, where there was a flight of stepping stones across Main street, leading from Jones's drug store to the upper corner, Hesberg's saloon, were a number of women, probably two or three dozen. There might have been a few children with them. I do not recollect seeing more than three or four children there. I mean by children—to be accurate, I should say they were little negro girls, I thought probably with their mothers; but the majority of those women that I saw did not seem to be attached to the crowd. They seemed to be passing back and forth. A few were standing still, apparently in conversation. There was evidently a crowd—a considerable crowd on the sidewalk, upon the side of the street on which I was, below my window, so that, although I could hear these shrieks I spoke of I could not see any one there at all.

Q. What steps were taken to organize the police force after this firing had ceased, and who composed that force?—A. I cannot tell you who composed the force, except that it was composed exclusively of whites. I do not know personally of it; that is, who the gentlemen were that composed it; but, as I was informed, they were summoned by the sergeant-at-arms of Danville as his posse, and probably about thirty or forty, I believe about thirty-three—thirty-six in all, including captains, I believe were sworn in as special constables by the mayor of the town, and the mayor also had his regular force included in the sergeant's posse, and the Danville military company, commanded by Captain Oliver, a white company, to police the town; that combined force did.

By Mr. VANCE:

Q. Are you not mistaken in saying that you were over Jones's drug store?—A. I did not say that I was over Jones's drug store; I said that I was in the office of Crowenpecker & Blackwell, which is in the same building as Jones's drug store.

Q. I thought you said over the drug store?—A. No, sir; there is the width of a passage. I don't know the width; I suppose from 4 to 6 feet.

Q. You were then nearly directly opposite the scene?—A. Yes, sir; I suppose not mathematically directly opposite, but not out of the way more than 6 or 8 feet.

Q. Were the window-shutters down or up?—A. There are no shutters to the windows at all, unless you mean the sash.

Q. Well, the sash.—A. The sash were down, but immediately raised.

Q. You raised them to look out?—A. Yes, sir.

Q. Could you hear what the crowd were saying?—A. I could not; I could not hear a single articulate syllable or word, except that one of murder.

Q. And yet there were some men talking in pretty excited tones, were there not?—A. From their appearance I thought they were; their gesticulation and manner made me think so.

Q. Now, several witnesses—I believe all of them—have testified that it was a young fellow, a relation of Lawson's, that called murder, but not Lawson himself.—A. So I heard.

Q. How is that; what is your opinion of that?—A. Well, the man that the white man was beating with a stick when I saw him I thought at the time was Lawson. If he was not Lawson—I utter here what I

might have stated before—Lawson was at that time—I reckon he weighed thirty or forty pounds more than now. I reckon that he had been at that time (and had been for some time before) drinking a good deal of liquor, and was evidently bloated, I thought.

Q. I believe all the other witnesses, without exception, have testified that Noel had no stick. Are you not possibly mistaken in saying he had a stick?—A. I did not say that Noel had a stick; I said that the white man whom at the time I supposed I recognized and thought was Noel. Now I will say this (and it is proper that I should say it), I had not at that time and have not now any personal acquaintance with Noel, though I have known his father for many years. He had been pointed out on the street, and I had casually seen him two or three times as the son of Jesse Noel, and from what I have seen of his testimony, if you want to know my opinion, I do not believe I saw Noel that day at all.

Q. Who was the man who was fighting with Hense Lawson?—A. What I wish to say is this: I have related this matter as it appeared to me then, but from what I have heard since I do not believe the white man was Noel, and I do not believe the negro that I saw was Hense Lawson. I believe Noel had gone away from there to wash his hands then, and that I saw some one else.

Q. That is a little strange. You are confident that the man you saw beating the colored man with his hand in his pocket was using his stick with the other?—A. I know that he was using a stick.

A. Did you know Mr. Taylor?—A. I did not and do not.

Q. Do not now?—A. No, sir.

Q. At the time Mr. Lea and George Adams (this large negro you spoke of) were scuffling on the ground, did you see Mr. Taylor use a stick?—A. I did not.

Q. Did not see that?—A. No, sir; didn't see it. I saw this, about the time the negro jumped up I saw the stick, but whether a blow had been struck with it or was being struck with it I don't know. I know this, that when the negro ran back across the street toward the wagon he had upon his left cheek a spot of blood, right here [indicating].

Q. Which; the negro that was scuffling?—A. The negro that was scuffling with Lea—that pulled Lea down, and he subsequently shot at him.

Q. You stated in your testimony before—your deposition in the contested-election case of *Sims vs. Hurt*—that there were twelve or fifteen whites on the sidewalk when you first observed them?—A. Not when I first observed them. I think if you will look over it, I did not state that; not at first, but subsequently.

Q. At what time?—A. When I first observed them I saw but two white men standing with pistols presented watching, and there were two or three, may be four or five, standing not immediately near, but in comparatively close proximity, just looking on. That was when I first got to the window. Now that published deposition there makes me say that twelve or fifteen white men formed into a line.

Q. Yes.—A. If I said that I was wrong. I do not think that is the case. The language I intended to use was from fifteen to twenty when the volley was fired.

Q. Well, that difference is very slight. About the time that the main firing began—the actual hostilities—how many of either color were present?—A. You mean when the volley was fired?

Q. Yes.—A. I will say there was one hundred and fifty negroes there in that street. It is very difficult, you know, to estimate a crowd when

they are not drilled into line as soldiers; but I will say one hundred and fifty.

Q. Now, how many whites were there on the sidewalk opposing them?—A. Those that seemed to be opposing them—I don't think there was more than fifteen or twenty, those that formed that line. There were twice as many as that there standing above and below, possibly in the rear, that did not seem to have anything to do with them.

Q. The others stretched on the sidewalk toward or opposite the opera house?—A. Yes, sir; some were in that direction, and some were above, in the other direction.

Q. Did you see the white people come from the opera house on the alarm being given?—A. I did not see any one coming from the opera house. I say I saw them come from that direction.

Q. How many were on the sidewalk between the corner from Market up to Woolfolk & Blair's? How many whites do you think were on the sidewalk?—A. From the corner of the Border House up to Woolfolk & Blair's?

Q. Yes. I mean at the actual commencement of the firing.—A. When the volley was fired—well, there were some whites stationed above, standing on the sidewalk several feet above Woolfolk & Blair's. Altogether there might have been fifty or sixty, including those that formed the line.

Q. Including all that were there?—A. Yes, sir.

Q. Well, then, of course, it is not true, as some witnesses have testified, that the body of the white people who were engaged in that meeting in the opera house had got up there before the firing commenced?—A. That, I think, could not possibly be true. I am satisfied that the large body of that crowd never got there at all until after the shooting was over, nearly every bit of it.

Q. You say you could not hear the language used, or a single articulate word.—A. Except the word murder.

Q. Except the word murder, which some man, I suppose, was yelling in a very loud tone?—A. Yes, sir; his lungs evidently were never affected.

Q. And yet you say you heard the click of the triggers when this line was formed?—A. No, sir; I don't think I said that. I am sure I could not have heard the click, and I will tell you why. If I said it, I was wrong. I will tell you why. I am sure I could not have heard that, and you will understand from that how deaf I was at the time. The report of those pistols sounded scarcely louder to me than the explosion of a cap on a gun.

Q. With the window up?—A. Yes, sir.

Q. I understood you said that the line was formed, the men drew their pistols, and you heard the click?—A. I did not intend to say that.

Q. You mean to say you heard the firing?—A. No; I did not use the word click at all. What I meant to say, and will say now, not that they did draw their pistols, because I did not see them draw their pistols at all. They were in line, and had their pistols out, and presented when I first saw them. It was done as quick as that [snapping his finger]. If I used the word "click," I did it mechanically without any intention.

Q. When you first threw up this window, was there any appearance of regular formation among the whites?—A. No, sir; when I first threw up the window, and looked out, there were very few persons of either race there. There was nothing regular about the matter at all.

Q. Up to the time that line was formed on the sidewalk, one flank resting a foot or two in the street?—A. Yes, sir; several feet.

Q. Well, was there any appearance of formation up to that time?—
A. None whatever, except what would be mechanical with people standing on the sidewalk.

Q. With the curbing making a line in front of them?—A. Yes, sir.

Q. Did you say that they called out, or yelled when they fired?—A. No, sir; I did not say anything about that.

Q. But it was Mr. Blunt that you spoke of as yelling?—A. Yes, sir; he must have yelled very loud, for I doubt much if I would have heard him if he had not.

Q. Now, how many shots do you say you think were fired in that first volley, that was so regular and like disciplined soldiers?—A. I suppose (I take it for granted that every pistol was fired), I reckon fifteen or twenty; they fired all just at once.

Q. How far was the mass of the colored people from these men with pistols who stood in the line?—A. If, by the mass, you mean the greater number, of course they were much further off than the others, the front part of the formation, or the rear part if their backs were turned, was very close. They certainly were not further off than that fire-place [indicating fire-place in the room].

By the CHAIRMAN:

Q. Ten or fifteen feet?—A. Yes, sir; and that is the reason I was so surprised to see no execution.

By Mr. VANCE:

Q. Not only the front line was that near, but they were very closely packed together?—A. They were huddled up as closely as a flock of sheep.

Q. Now, judging from the facts, and of the proximity of the men who were firing to their object, is it your opinion that they were trying to kill anybody in that volley, or to disperse the crowd?—A. If I should judge simply from the facts alone, I should say they were not trying to kill anybody at all, because they had not bullets to kill them, but fired blank cartridges; but, from the way they took aim—they pointed just like my hand is pointed at you—aimed directly at the crowd.

Q. How is it possible for men to have missed an object that close and thick?—A. I don't know. Yes, I know this: I have been in a battle with a brigade and lost apparently few men, and then walked over the ground afterwards and every twig had been hit. There would not be a space for a bluebird to have flown across there without being struck.

Q. Yes; but those were 100 yards, perhaps, off, and here they were right within a few feet, and that mass was so thick that a man could not have fired without hitting that crowd, could he?—A. Yes; and I think I can explain how it was that so few were hit, if any were hit at all. Those double-action pistols—I don't know much about pistols, I got sick of carrying one during the war, and never had one since; but I have shot occasionally, practicing. The hammer of the self-cocking pistol has two actions. If you want to shoot at a mark you take deliberate aim; but if you want to shoot rapidly, you keep pulling; and I never saw a self-cocking pistol in my life but in pulling the hammer you pulled the pistol up.

Q. You think the bullets went over their heads?—A. Yes, sir; and I don't think they intended to go over their heads, because they took aim at the crowd.

Q. From where you were situated, could you judge from the line of the pistols that they were aiming at the body of those men?—A. I think

I could; and I am satisfied that if the upper end of that line had fired over the head of that crowd, it was mighty apt that some of those bullets would come into the window at which I was standing.

Q. And you think the mere pulling of the trigger would make the pistol fly up?—A. I know it would.

Q. Even with your little experience with this pistol?—A. Even with my little experience. I have shot occasionally myself, and know enough to know that.

Q. Don't you suppose these men who used them so much and knew all about them made allowance for that in their aim?—A. I don't know anything about that; I don't know whether they knew much about them or not.

Q. It is reasonable to suppose they knew something about it from the way they handled them?—A. It is reasonable to suppose they did not.

Q. You see it has been testified here, and it has been the object of Senator Sherman to prove, that they habitually carried pistols, and were ready to draw them and to shoot all the time. Now, that would give them a large acquaintance with the use of these pistols, wouldn't it?—A. Not necessarily.

Q. It would not?—A. No, sir; I have carried a pistol six months at a time, and never shot at all.

Q. You think, then, that they were aiming at the crowd, and doing their best to shoot the crowd down?—A. I thought so, and think so now.

Q. And fifteen or twenty men fired at a thickly-packed mass of people, doing their best to kill, and did not drop one?—A. Not one; I did not see a single bullet take effect; but I don't think that was the fault of the men who shot at them.

Q. They were doing their best, you think?—A. I do.

Q. Well, they were the worst marksmen I have heard of.—A. Fortunately, sir, they were.

Q. You say Captain Graves fired from down the street?—A. Yes, sir; below me to my right.

Q. Below you to your right?—A. Yes, sir.

Q. On which side of the street was he—the side that you were on?—A. On the opposite side—on the north side of the street.

Q. Where did he stand?—A. He stood, I think, right at the junction of what I designate as North Market and Main, but somewhat a little out in Main, as I thought, diagonally a few feet from the corner of Mr. Averett & White's shoe store.

Q. But on the corner next to Nicholas & Hesberg's?—A. No, sir; on the opposite corner next to Averett & White's shoe store.

Q. Then he was across Market street?—A. North Market; yes.

Q. Then he shot back up the street toward you, did he?—A. No, sir.

Q. He shot down Market street, did he?—A. That second shot shot down Market street. The second one I could not certainly tell. He was in the act of shooting when I first saw him. I thought that was rather in front, toward the negroes, in front of Nicholas & Hesberg's.

Q. Well, he was on the corner of the shoe store, and Nicholas & Hesberg's was up the street, as you call it, up towards the Arlington Hotel; and if he fired in that direction, of course it must have been up the street?—A. Diagonally up the street, yes, sir.

Q. Did you see any one in Main street that he fired at?—A. I did not.

Q. Was there any one in the street?—A. Not that I saw.

Q. Well, from your commanding position, could you not view the whole crowd?—A. Not at that time. You see when I got to the lower window where I went when I first heard the report of the pistol down there, there was a chair standing there about as large as this one here, at the window, and as I got to the chair he shot. Looking diagonally as I did, the corner of the window obscured—or the wall where the window is put into the wall—my view, so that I could not see but little up or beyond them to my left, but in the line of vision, I saw no one in the direction that he appeared to shoot that shot.

Q. The other two shots, as I understand you, he fired, one up and the other down Market street?—A. No, sir; one was fired down North Market street, and the other apparently down South Market street.

Q. That is what I say.—A. If that is what you mean, yes.

Q. One down South Market and the other down North Market?—A. Yes, sir.

Q. And you saw no object that he shot at?—A. No, sir.

Q. Did you see him shoot over toward Joplin's corner?—A. Joplin's corner is across Main street from where he was, but I think he shot a little higher than that, down North Market street. I judge that from the way the pistol was pointed.

Q. That would be down South Market?—A. Down South Market, yes, sir.

Q. How long was that after the main firing had stopped?—A. It was a very short time, a very few seconds, certainly not more than half a minute, and I think probably not more than a third.

Q. How long after that until Mr. Blunt closed the performance?—A. I expect Captain Graves had time to get out of my sight. I reckon it must have been half a minute. Half a minute is a long time on an occasion of that sort; but it was some moments.

Q. You say that was the last shot you saw or heard?—A. The last that I saw.

Q. There was no more firing in that neighborhood that evening?—A. None at all.

Q. According to your best impression I suppose you were cool on that occasion?—A. Yes, sir.

Q. How long did the whole thing occupy from the time the volley began up there?—A. From the time the volley was fired?

Q. Yes, until the streets were cleared, and Mr. Blunt shot up in the air, and the thing was quieted?—A. From the time that volley was fired to Mr. Blunt's doing his shooting I don't think it could have been more than a minute and a half, if so long. It was done with the rapidity that language cannot express.

Q. The popular impressions of time on such occasions are very apt to be exaggerated, are they not?—A. Yes, sir; you can divide them by two, and I believe they will then be too large. I have frequently heard of a fight lasting five minutes; but there never was a fist fight in the world that lasted more than a minute and a half, I think.

Q. I do not believe there was, except these prize fighters, who take rounds and rest. Now, about where were those women that you saw?—A. All the women that I saw across the street, except a very few, seemed to be standing still on the flight of steps standing across Main street between Jones's drug store, and directly across the street in front of the barber shop, the upper edge of Nicholas's saloon. I did not see any women where the white men were.

Q. Where the white men began their volley there were no women in

danger?—A. None that I saw, unless, as I say, there were some out of my sight beneath the window.

Q. You saw no arms in the hands of any colored man at all?—A. No, sir; I did not.

Q. Did you hear any firing that came from the ranks of the colored men, judging from the sound?—A. No, sir; I did not.

Q. You did not?—A. No, sir.

Q. And you could hear no words, and saw no actions on the part of the colored people that indicated anger, except the conduct of this man Adams, who ran in and seized Lea's pistol, and three or four others with their backs to you evidently excited?—A. I inferred that from their gesticulations.

Q. Did you see any policeman, or white citizens who were apparently trying to keep the peace?—A. I saw Mr. Corbin there. He was as high up as Ruffin, Woolfolk & Blair's, but a little below it I thought. From his manner I was pretty sure he was trying to keep the peace.

Q. Did you see any policemen exerting themselves?—A. I saw the colored policeman that I thought was trying to part these men, and I thought from his appearance that he seemed to be speaking to the whites and blacks, too; I concluded that from his manner.

Q. After the men had been separated, and the fist fight was over, there was some considerable pause before the volley began, was there not?—A. There was a pause, but not of much duration.

Q. Well, I speak with reference to the length of time occupied by the whole transaction?—A. Yes, sir; speaking relatively, there was.

Q. During that pause did you see any of these citizens or policeman apparently trying to disperse the crowd?—A. That was the time I saw; I don't know about trying to disperse the crowd, but trying to quiet them, and I thought it was quiet, and people would go about their business, as people generally do when a fight is over.

Q. Senator Sherman asked you if any colored people were about on guard, keeping order in the town, and I believe you said there was not?—A. I was informed there was not. I do not know about this guard matter of my own personal knowledge; but I was so informed, and believe it.

Q. I will ask you if, under the circumstances, it was not best for the peace of the town that the white men should be put in charge?—A. Unquestionably it was.

Q. If there had been mixed guards that night there would have been danger of a collision, would there not?—A. There would have been, and probably a number of throats cut before daylight, in my opinion.

Q. Did you ever issue any warrants for the arrest of those parties engaged in this row?—A. No, sir; I did not.

Q. Had you any power and authority to issue warrants for the arrest of the offenders?—A. Full power and authority, but I declined to do so from a matter of principle, which I can state to you, if you desire to hear it.

Q. Well, I should like to hear what it was.—A. First I will state a matter of fact: After the riot was over and quiet was restored (I mean that evening)—the election was to come on a few days thereafter, which, as you know, was three days thereafter—I advised the magistrates not to issue any warrants until the election was over and quiet restored, and then to get these people to come forward and make complaint. I thought at one time that I myself would issue a warrant against Lea, as the only man whom I could say that I recognized. I concluded, as I would have to be a witness in that case, that I would

not do it, and on further reflection I thought it would be better to submit the investigation of the whole matter to a grand jury, which I did. I will add that, so far as I am informed and believe, not a single person came forward to the magistrate to make complaint at the time, I mean after the election was over, and quiet and order were restored.

The CHAIRMAN (to Mr. Vance). I was intending to examine the witness as to the events before the third, and also the events which called out his charge to the grand jury. You are only anticipating that examination, as I infer.

By Mr. VANCE:

Q. Then you said nobody came forward to make a complaint?—A. No, sir; no one came forward to make complaint at all. The truth is, I am satisfied that I failed entirely to appreciate even then the condition of public affairs. I thought that after quiet was restored it would be as it always has been done in Danville and anywhere else, that the persons who were wounded, and the relatives of those who were killed would come forward to make complaint to the proper authorities, and I thought it was best in that way for justice to take its ordinary course. Besides, I thought it was best for every consideration, too many to mention here, that the matter should be thoroughly ventilated by a grand jury.

Q. You had a grand jury impaneled to inquire into this?—A. I did.

Q. Who drew that grand jury?—A. I did myself, in the manner prescribed by law.

Q. Were they respectable men?—A. Yes, sir.

Q. Intelligent, good citizens?—A. Yes, sir; so far as I know, they were, and I think I know most of them.

Q. Were they, any of them, different in politics from the other portion?—A. Yes, sir; there was one negro upon it—Preston Watkins, I think. He was a Republican, although I think the others were all Democrats, though I don't know.

Q. How long did they sit, and how many witnesses did they examine?—A. They sat certainly for two days, and I think a part of a third. I am not sure about that. I do not know the number of witnesses examined. I examined a list of witnesses; had a number summoned myself, and made the attorney of the commonwealth submit to me a list that he had summoned. My impression is that probably all of those witnesses, with one or two exceptions, were before the grand jury.

Q. Does the commonwealth attorney go before the grand jury to examine witnesses?—A. No, sir; that is not customary in Virginia. He does not go before the grand jury to examine witnesses at all. When I say not customary in Virginia, I mean to be understood to say in the State courts. I believe they do in the United States courts.

Q. Did you see any of the whites in that crowd before the firing armed with shot-guns except Mr. Dance?—A. I did not; he was the first man, and the only one, I saw who had a shot-gun until the shooting, so far as I know, was all over.

Q. If there had been any shot-guns fired in the shooting, could you not have told them from the report of a small pistol?—A. Certainly; if I had not been deaf I could, and I think even as deaf as I was I could. I am satisfied that there was not any shot-guns fired out there.

Q. According to the custom among the working people there, there were a good many colored men on the street Saturday evening, were there not?—A. Yes, sir.

Q. Being paid off Saturday evenings, they buy their rations and

rolie around?—A. From what I could see from my office—I was so very feeble that after I got to my office in the morning I remained there all day. What I saw I saw from my window, but I know that is the custom in Danville.

Q. And on that evening is not the crowd of white folks diminished ordinarily and the crowd of colored people increased?—A. I do not know that the crowd of white folks is diminished. I believe the crowd of both races is greater on that day. But there is this thing in it. In my fifteen or sixteen years of observation there in that portion of the town where the business is done the ladies of the town never come out Saturday evening, because the streets are so crowded. Plenty of people come into town on Saturday evening.

By the CHAIRMAN:

Q. I wish now to ask you a few questions in respect to the political canvass that was going on, and the effect that canvass had upon the events that followed. What were the parties in Virginia last fall in the election?—A. They were known as the Readjuster or Liberal-Coalition party and the Democratic party.

Q. In the county in which you are, which party was in the majority?—A. The parties there in the county of Pittsylvania, including the town of Danville, I believe, are pretty evenly balanced, with probably a slight majority in favor of the Coalitionist. I think the majority is not large, however.

Q. How is it in Danville?—A. In Danville the majority of negroes, and the Readjusters who acted with them, was considerably larger, much larger.

Q. About how much usually in an ordinary vote?—A. Well, some hundreds; I don't remember.

Q. You cannot say how many?—A. No, sir.

Q. I will ask you which party, as a rule, the colored people voted with?—A. Since the formation of the Readjuster or Coalition party they voted generally in our State with that party.

Q. The body of the Democratic party, then, were white?—A. No doubt of it. The Democrats in Virginia, I reckon, have always had some negro votes, but very few.

Q. What excitement was there in the town of Danville or in the county prior to the issue of the circular headed "Coalition Rule in Danville;" what was the degree of excitement?—A. I could not answer that question of my own personal knowledge. I returned to Danville early in August last year; had been away some weeks on a visit, and was taken sick and returned there.

Q. You were unwell?—A. I was taken down with a fever and in my bed for two months, and I know nothing of the canvass at all except what I saw in the public prints and what my friends coming in would tell me, and for a great length of time they could not even talk with me.

Q. You don't know whether it had been exciting or quiet?—A. Of my own personal knowledge I do not.

Q. Have you ever seen this circular called "Coalition Rule in Danville," which is now printed in the testimony (p. 26) of this committee?—A. Yes, sir; I have seen it.

Q. What was the effect of this circular upon public opinion; did it tend to create excitement?—A. Well, even at that time I scarcely could get about; wouldn't have been about at all, but business carried me; but from what I could see of my own personal knowledge it created a great deal of feeling, a great deal of bitterness.

Q. Was that circulated about Danville much?—A. It was not, so far as I know, circulated at all.

Q. Where was it circulated? I see it is addressed, "To the citizens of the southwest and Valley of Virginia."—A. On that point I only know by common report.

Q. Then I will not ask you any further. Have you read that circular?—A. Yes, sir; I have read it.

Q. State whether or not that is a true statement of the facts alleged to be given; whether the statements contained in that circular are true.—A. Some of them are, but in my opinion a great majority are false.

Q. Now go on and point out in such detail as you choose what statements there are false in your opinion.—A. In answer to your question, the first portion of this circular, as I recollect it and what my eye catches now, gives the figures as to the census of the two races in Danville; the figures given here in reference to the taxes and the amounts derived from taxation from the two races paid out for the purpose of educating white and negro children.

Q. That seems to be correct; derived from the census, is it?—A. I accept those as correct. I suppose they are, not meaning to say by that that they are or are not of my own personal knowledge.

Q. You see no exaggeration or anything to dispute?—A. None that I recognize.

The next statement is:

Up to the session of the last legislature the town was not divided into wards, but voted as a single precinct.

That is true.

And in that way the council was generally kept in the hands of the white people.

The council has always been kept in the hands of the white people, but not for that reason, because there never has been a time when the whole council of Danville and everything in it could not have been negro with the majority they had.

Q. But they didn't exercise that?—A. No, sir; not since I have been there.

But the negro party desiring to get complete possession of the town government, that they might share in the offices as well as levy upon the treasury of the whites whatever they thought proper, applied to the legislature.

I was never aware that any party, until I saw this, applied to the legislature for that purpose or for any other purpose. There was an application made by a number of persons represented in the council, and especially made by Capt. William T. Clark, a prominent citizen and merchant.

Q. A Democrat?—A. Yes, sir. Either did it himself or had an appeal prepared for that purpose, to divide the town into wards; that is the first movement I ever heard for that purpose.

Q. Then you say Captain Clark was the first one that made that movement?—A. Yes, sir.

Q. Captain Clark's is the first signature to the paper, and he charges it was done by the negro party?—A. He or somebody else charged it.

Q. Well, he signed the paper. You might state how that division into wards was brought about.—A. Under the provisions of the bill the judge of the corporation court, Judge Aiken, was the gentleman who then held that office, divided, as I understand, the town into wards.

Q. Is Judge Aiken a Democrat?—A. I don't know what Judge Aiken's politics are. I never knew him to have any politics in my life until last fall.

Q. Did he write this circular?—A. I don't know that.

Q. Well, Judge Aiken, then, divided the city into wards?—A. Yes, sir; under the provisions of that statute it was for the judge to do so, and after a survey of the town, made—an accurate one, no doubt—by the city engineer, it was done the best way he could do it.

Q. Was there any complaint made of that division at the time?—A. None that I ever heard. Individuals may have complained, but I never even heard of that being done.

Q. I will ask you now whether, as a matter of fact, the division into wards was not necessary in order to enable people to vote?—A. The vote is so large; our people generally think so, I believe; such was my opinion.

Q. Then I will call your attention to the next paragraph.

From the localities in which the negroes had herded themselves, it was totally impracticable to so run the ward lines without creating two wards in which the negroes had a large majority, and this they and their white leaders knew.

Was there anything about that that excited hostility?—A. Not at the time it was done that I ever heard. Indeed I never heard of any complaint being made about this, one way or the other, until I saw this circular.

Q.

The result was that they elected seven out of twelve of their candidates for the council and their candidates for justice of the peace from each ward.

Could not the negroes have elected all the justices and all the council if they had exercised their power and drawn the race lines?—A. Since 1869, the year I went to Danville to live, to the present time, there never has ceased to be a time that the negroes could not have elected every officer in that place that they had a right to vote for.

Q. And yet you say, notwithstanding that the white men had the majority of the council?—A. They have always had it.

Q. I will ask you whether the negroes themselves didn't elect, as their presiding officer, a Democrat?—A. They elected Mr. Joseph D. Blair—elected a Democrat to what?

Q. Presiding officer of the council; have you a president of the council?—A. Yes, sir; Mr. Blair is now president of the council. Mr. Blair was elected president of the council by the Coalition majority, or by somebody in the council.

Q. Is Mr. Blair a signer of this paper?—A. I don't know whether he is or not; I will look and see [examining circular]. Well, his firm is, as the firm then was, Ruffin, Woolfolk & Blair, real estate and insurance office.

Q. He is the Blair of that firm?—A. He is the Blair of that firm; Joseph D. Blair, esq.

Q. Now, you can go on and call attention to other misstatements in this circular if you find them?—A.

Then began the deeds which have so humiliated us in our own estimation and made our town, once so noted for wealth and enterprise, a by-word for shame and reproach from one end of this land to the other. Wherever it was possible for anything to be done by the council or its magistrates that would irritate and wound the pride of the whites it was executed with the keenest relish.

Q. How was that?—A. I don't know anything of that; never heard of it.

Q. Were there any acts that the town council complained of?—A. None that I know of.

Q. They had elected a white Democrat as presiding officer?—A. Yes, sir; and he under the law appointed committees of the council.

Q. I will ask you about the policemen. It says, "Out of nine policemen four negroes were chosen."—A. Well, the council chose four negroes, two upon the police force.

Q. The majority of the council were negroes, were they not?—A. No, sir.

Q. How was that?—A. There were four negroes in the council. All the rest were white men. There were twelve in the council in all, eight white men and four negroes.

Q. Then it was the white men who must have elected the negroes, was it not?—A. According to the rule of addition it would seem so. I believe, however, the rule of addition did not work down there, for I understood you could not find a white man who said he voted for a negro at all. Yet they were elected.

Q. I want to know whether it was a true or false allegation that the colored people, exercising their political power, elected any colored policemen; wasn't it done by a council of which two-thirds were white Democrats?—A. Yes, sir; and the presiding officer was a white Democrat, and one member of the council was a Republican; I mean as the council then was. Colonel Raulston had been a Democrat, but had been a Republican for a year or two. The others in the council were Readjusters—Democrats every one of them.

Mr. VANCE. Let us not get out of the record. There is no allegation here that the negroes elected him; it was the Coalitionists elected him. The whole document is headed "Coalition rule, not negro rule, in Danville."

By the CHAIRMAN:

Q. Who elected the four negroes—the council?—A. Yes, sir; as policemen, two on the regular police force in the city; one was a scavenger there; I don't know his true name, but I believe he is called health officer, or something of that kind, but he is a scavenger.

Q. But he is a scavenger. If not, then the health officer was the man that gathered up the dead cats, horses, &c., things of that kind, old garbage; and the clerk of the market is the weighmaster spoken of here?—A. Yes, sir.

Q. Did you ever hear of the citizens complaining of the fact of the negro being a scavenger, &c., as an invasion of the rights of the white men?—A. No, sir; they thought it was a very proper office for him to be employed in.

Q. If a white man had been appointed health officer, he would have employed a negro to do that, would he not?—A. They always had been doing it before.

Q. Well, read on and point out any other false statement.—A. Here is a statement about the market.

Out of the 24 stalls and stands at the market place, 20 are *rented out by the council to the negroes.*

Q. What about that?—A. That market is owned partly by the town of Danville and partly by private citizens. The town of Danville owned at that time and still owns twelve market stalls, and in front of each stall upon the sidewalk is what they call a table or stand for hucksters, making twenty-four. These twelve stalls and twelve stands or tables for hucksters, in which vegetables are sold, are rented out by law to the

highest bidder for the period, I believe, of twelve months. Any citizen may bid at those auctions. In addition to that there were then, and I think still are, six stalls belonging to a citizen of Danville, Captain Robinson. At the time this circular was published I think but two of those stalls were rented out by him; I don't know to whom they were rented. Captain Robinson's stalls and those of the town council are upon what I will call the west side of the street, the same side, together. On the opposite side of the street, immediately in front of the stalls owned by the town, are twelve stalls or shops in a long brick building belonging to Mr. John W. Holland.

Q. The father of this young man that was shot?—A. Yes, sir; I said twelve, I believe it was eleven at that time, and I think now nine of the eleven were rented to negroes.

Q. By Holland?—A. By Mr. John W. Holland.

Q. Is he a Democrat or Republican?—A. He is a Democrat.

Q. Does his name appear to this circular?—A. I think that he signed here; yes, I see John W. Holland, tobacconist; that's the gentleman.

Q. Then out of twenty-four stalls how many were rented to negroes directly by the city authorities, if any?—A. Some were; I don't remember the number.

Q. But all these that were rented to the others or belonged to the others were owned by white Democrats, and sublet, if at all, to negroes?—A. Yes, sir, they were their private property, and were rented as any gentleman would rent a private house to any gentleman that would pay for it.

Q. Then you say Holland owned eleven of these, and that he signed this paper?—A. Yes, sir.

Q. Now what about the other stalls, what you call the city stalls, how were they occupied?—A. They were occupied by whites and blacks, and I think more by blacks than whites, and so they are now.

Q. How are they rented—are they rented from the city authorities?—A. Yes, sir; rented at public auction to the highest bidder.

Q. Upon public advertisement?—A. Upon public advertisement. I believe it is ten days' advertisement in the papers.

Q. Did you ever hear it made a matter of complaint of injustice or oppression to the white people that the negroes occupied and rented stalls?—A. Never until I saw this circular and never since.

Q. It goes on now just the same way it did before.—A. Except I think there are more negroes engaged in business in the market now than I have ever known.

Q. Go on to the next?—A. It speaks of scenes about the market, filth and stench. Well, a market is never a very sweet-smelling place, but ours in Danville has been and is now a very cleanly well-kept place, as well as such a place can be kept. As to bad behavior and bad language, my office is not very far, and I go there every day when I am able to get to it, and have been for several years, and I have never heard anything of that kind.

Q. Let me read this to you and see what ground of proof there is:

The market, once occupied in all its stalls by polite white gentlemen, with their clean, white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves.

What do you think of that statement?—A. I say it is untrue.

Q. Is there any difference from the market now to what it formerly

was?—A. No, sir; except there are more negroes selling more articles than ever before.

Q. Well, in regard to stench and filth?—A. It is as well kept as a market can be in that respect.

Q. Is that known to be false by the citizens of Danville generally?—A. I should suppose it was; all they would have to do would be to sit down and think of the matter two minutes to know all about it.

Q. Suppose you were called upon to refer to this expression, signed by these respectable names, would you, because it was signed by them, hesitate to pronounce this as a false statement?—A. No, sir.

Q. Knowingly and willfully false?—A. Well, I would not say that these gentlemen, all of them, or any large number of them, signed this paper, knowingly and willfully false, because I have lived long enough in this world to know this: that a man, honest and truthful as he may be, may be so prejudiced by passion or by opinion that he fails to use his reason at all.

Q. But still you would not hesitate to denounce this matter as absolutely false, although it was signed by respectable men?—A. Oh, no; I have no hesitation in that.

Q. Now I will read the next paragraph:

The white men have been driven out and forced to take up private places for vending their meats and vegetables, and the public market, erected by the money of the white people and intended to be occupied by men at least courteous and cleanly, has been converted to the use of squalid negro hucksters, and presents a spectacle of loathsomeness positively repulsive to any person who has the least idea of how a market should be kept.

What do you say to that?—A. I know of no white men being driven out, and under the law they could not have been. You or I or any other citizen of the United States, going to Danville to live, can rent any place in the market if we pay the highest price.

Q. Was it so very much changed by "squalid negro hucksters," &c.?—A. It was not; it was conducted at that time, has been, and is now conducted in the same way, so far as I know or ever heard until I saw this paper.

Q. Is that paragraph true or false?—A. I state that that whole paragraph in reference to the market is particularly untrue.

Q. How is it, compared with other markets in other cities you have seen?—A. I think it will compare favorably with them.

Q. Do you go there yourself?—A. No, sir; I am an old bachelor, but I have for many years been having an office immediately near the market, and pass through it frequently, every day.

Q. Suppose this paragraph circulated among the people of Southwestern Virginia and the valley, where the great body of the population is white, would not this paragraph create an impression upon the minds of the people out in the valley of Southwestern Virginia that you people in Danville were suffering under some terrible, ignominy and disgrace brought upon you by negro rule?—A. It would make that impression upon any man that read this paper who was not acquainted with the facts.

Q. Was not that the design?—A. I should think that it was evidently done with that intention.

Q. To create race prejudice?—A. Since I first saw it I have not been able to conceive for what other purpose it was placed here.

Q. Now you have no hesitation in saying these statements are false?—A. None whatever.

Q. Now go on to the next paragraph in this circular which contains

a misstatement, as you think. Read the next clause, if you please.—

A. The next clause :

The whites of the town are powerless to prevent this outrage upon their rights.

Q. Now, is it not a fact that at the time the whites of the town had the majority of the town council?—A. Yes, sir.

Q. And the majority of the offices?—A. Yes, sir.

Q. Are you a native Virginian?—A. Born and raised in the slave-holding portion of Virginia.

Q. You were the judge of the town at the time this circular was prepared.—A. Yes, sir.

Q. What power had the negro people in the town of Danville over the matters of the government of the people of Danville?—A. Very little, if any.

Q. The white people had the majority of the policemen; a majority of the council; the judges of the courts; the sheriff; what power had they that you could name over the government of Danville at the time this was written?—A. I can name none, except what power might be conveyed, or used rather, by the votes of the 4 blacks in the council.

Q. That is 4 against 8.—A. That is 4 against 8. Now, I have heard of 8 beating 7, but I have never heard of 4 beating 8.

Q. Were those 4 councilmen bad men, riotous, demonstrative?—A. I have never heard them charged with anything wrong in my life.

Q. Give us their names, so we will see who they are.—A. I don't remember—one was named Lipscombe; one was named Swan; one Batts. I have heard something against him; he got into a difficulty there with another negro and had a fight with him, in which, from what I could learn, I think he behaved badly, but against the others I never heard anything.

Q. Now let me read the next paragraph :

The council, which has the power of regulating the conduct of the market, is presided over by a carpet-bagger—J. B. Raulston—Mahone's collector of internal revenue for the Danville district, and the patronage of his Federal office enables him to control the council with the same undisputed power that the general does his party.

Who is J. B. Raulston?—A. Just a moment; I was in error in answering the former question; I wish to correct myself. I told you of this difficulty, and I had heard of nothing against any other. I was mistaken. The other negro in the council, named Payne, was a man at that time, and is still, I think, in the employ of Colonel Raulston, in the custom-house. He is, in my opinion, a very bad man.

Q. There are two of these negro men who you say are bad; now about Raulston, who is he?—A. Colonel Raulston is a gentleman who was a colonel in the Federal Army, I think, and has been living in Virginia since the close of the war.

Q. What are his politics?—A. He has always been a Democrat until the last three or four years.

Q. Is he a Republican?—A. He is, so far as I know, and I know, I know him well, as respectable as any man in Danville. I never heard anything against him in my life until I heard it here.

Q. Has he ever been convicted of stealing, or anything of that kind?—A. The records of my court won't show it, and I never heard of it elsewhere.

Q. What control could he exercise over the council?—A. None whatever, except personal influence, which anybody might exercise.

Q. He had two in his office?—A. Yes, sir; one of them, I think, certainly is a bad man.

Q. How came Colonel Raulston to be president of the council? I thought Mr. Blair was president.—A. Mr. Blair was elected president of the council, beating Raulston for that office. Mr. Blair held the office probably a year or more, when he resigned, and I believe—I have been informed and I believe it; I have heard Mr. Blair say so, and I have heard Colonel Raulston say so, too—that a number of white men in the council were urged to take the presidency, but all declined it; Colonel Raulston accepted it.

Q. You say, then, he did not seek or court power, but accepted it?—A. He declined it as long as he could, as I understand from Mr. Blair and Colonel Raulston and others of the council.

Q. Where was Raulston from? He was a carpet-bagger. I want to see if he was from Ohio?—A. Well, Colonel Raulston—no he was about the only man I know of in office not from that State; he was from New York.

Q. Was he married?—A. Yes, sir; married in Danville.

Q. Has he a family?—A. He has no children; his wife lives there.

Q. What was there offensive about Raulston? Is he a man of decent manners?—A. He is a man, if you go to him, of as fine address as any I know anywhere. And can do whatever a man of intelligence can do; he can make good use of all that capital that he has.

Q. What do you say of this paragraph in regard to Raulston; is that true or false?—A. In my opinion, it was inspired simply by political dislike, and is false.

Q. Then you say it is not true?—A. I say it is not true, so far as I know and believe; and I think I know.

Q. Let us see what next:

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government, not one of whom has a dollar's worth of visible property within its limits, and this, too, by the most shameless usurpation:

In respect to property—was Raulston a man of any property?—A. I don't think he owned any in Danville; none that I know of.

Q.:

For the constitution and law of the State and the Presidential order by which the Norfolk postmaster was removed, all declare that such officials shall hold no office under the government of this commonwealth.

Mr. VANCE. I would like to have an answer to that other allegation.

The CHAIRMAN:

Q. Well, what do you say to that paragraph now, that "our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government?"—A. Well, I say, if three officers, "slaves of the Federal Government," members of the town council, could control the others, then it was; not otherwise.

Q. How many officers of the Federal Government are in the town, taking the deputies and all?—A. I think the postmaster has one deputy.

Q. Well, about how many altogether?—A. I reckon there is about five, may be six, altogether.

Q. I want to know if things have come to such a pass that five men can make slaves of a flourishing city of 15,000 inhabitants?—A. Not since this circular was issued it has not been the case, nor was not before.

Q. Is this statement true or false?—A. Oh, no; that's a political canard.

Q.:

The Federal Government, through its internal-revenue collector and the negro councilmen hired by him to scrub—

Mr. VANCE. Senator, I believe there has been no answer to the charge that they had no visible property.

The CHAIRMAN. Well, I will ask him, "Not one of whom has a dollar's worth of visible property within its limits, and this, too, by the most shameless usurpation."

A. Payne, if I mistake not, owned real estate, and Batts owned some at one time, but since the riot he left Danville and sold it.

Q. What about "this by the most shameless usurpation." Did they usurp their authority to be Federal office-holders?—A. I don't know.

Q. Were they lawfully appointed and confirmed by the Senate here, as far as you know?—A. So far as I am informed, they were.

I will read the next paragraph:

The Federal Government, through its internal-revenue collector and the negro councilmen hired by him to scrub the floor of the custom-house and make incendiary speeches against the white people of the town, make our town laws, levy and collect our taxes.

Now, I will ask you if you know of these men that are here described as making incendiary speeches?—A. No, sir, I do not. I never heard Colonel Raulston make any speech.

Q. Do you know about the collector or council?—A. I never heard of any of the councilmen except Batts making a speech. I never heard him make a speech. I have heard he has made a speech there and in the county, too, but I never heard any of them.

Q. Do these people make your town laws?—A. No, sir.

Q. Who made your town laws?—A. The town council; the majority of that body.

Q. Who lays and collects your taxes?—A. It is done under the law by an officer elected by the town council. The same officer who collects the taxes now has been collecting them probably six years.

Q. What body appoints the policemen to guard your town?—A. The majority of the council of Danville.

Q. The majority of those were white men?—A. Eight of them; yes, sir.

Q. Do you know whether the revenue collector, when he was elected president of the town council, said—

that it was his intention to use the patronage of the council to build up the Radical negro party.

Did you ever hear of that before?—A. I never heard of it until I saw it here and I never heard of it since.

Q. What do you say about that whole paragraph, taking it together?—A. I say, so far as I am informed of the facts, the statements are in the main untrue, and the whole paragraph is calculated to make a false impression upon the mind of any reader going over the facts.

Q. You may go on without my reading, and state about the police court. That is not your court, is it?—A. No, sir.

Q. I do not know your judiciary system, and therefore ask you to explain.—A. The police court he speaks of is simply a court, not of record, where the mayor of the town and other magistrates—. The mayor of the town has the nomination of the justices of the peace under the common law, and he and other magistrates try cases. If there was any-

thing wrong or irregular, as there might have been, I don't know, in my own knowledge, anything one way or the other. No complaint was ever made to me about it, nor did I ever hear of any complaint at all, and, therefore, my answer to that question about the police court is, that I do not know whether it be true or untrue.

Q. Before we leave that about the town council, I will ask you whether in former times, before the Coalition party was formed, there were not colored men in the council?—A. Yes; there have been colored people there in the council for a number of years. I don't remember how many years, but a long time.

Q. And consequently having 4 councilmen out of the 12 was not an unusual thing in Danville?—A. This was the first time the negroes ever had 4; they had before that, I reckon, for a number of years, 2.

Q. But they had the power, if they chose, to elect them all?—A. Yes, sir.

Q. But they chose to give the majority to the white men?—A. Yes, sir.

Q. Well, go on about the police court.—A. I can only say that from my own knowledge I cannot say whether that is true or not. I can only say that no complaint was ever made to me officially, and I was the proper officer for complaints to be made to, but I never heard anything of it until I heard of this.

Q. They speak of a young man named Jones; what do you know about him?—A. I know that when I was prosecuting attorney I prosecuted him for a certain offense and the jury acquitted him. I believe now, and believed then, that he ought to have been sent to the penitentiary.

Q. What kind of a jury was it?—A. I don't know whether it was all white or not; certainly the greater portion of them were white.

Q. He was charged with the crime of seduction, wasn't he?—A. Yes, sir; and in my opinion he was guilty.

Q. But he was acquitted?—A. Yes, sir.

Q. The next statement, that he was only saved from conviction upon indictment by the evidence of his partner?—A. That is an evident mistake. His partner was that man Payne, who evidently committed perjury, and no weight was taken of his evidence at all.

By Mr. VANCE:

Q. That man Payne, you say?—A. That man Payne, in my opinion, committed a perjury, and ought to have been sent to the penitentiary.

Q. These two members of the council ought to have been sent to the penitentiary?—A. Yes, sir. I believe in doing justice to all parties.

By the CHAIRMAN:

Q. You believe two were bad men?—A. Yes, I do.

Q. Were they in the council?—A. No, sir; one councilman and one magistrate.

Q. How would you pass on many of the white men, if called upon, that were elected councilmen in Danville? You don't select your preachers and most moral men for councilmen in Danville, do you?—A. That is a delicate question.

Q. What do you think of the council of the city of New York and other cities?—A. Well, there is always something about the character—

Q. Well, tell us about this man Jones, who was acquitted by a jury a majority of which was white?—A. Yes, I believe all were white, but I am not sure of that; but the great majority I know was.

Q. What do you say generally of this statement:

This court which, before the negro *régime* came into power—

When did that come into power?—A. He means by that “Coalition,” I suppose. Came in to power two years ago next July.

Q. Was there any more negro *régime* than before?—A. None, except that two negroes were in the council, and a magistrate was a negro; that is all I know of.

Q. Then this means that all Coalitionists are negroes, or what does it mean?—A. The expression “negro *régime*” evidently means—

Q. Coalitionists?—A. Yes. I can infer nothing else. This circular evidently intends to mean that.

Q. It says:

This court, before the negro *régime* came into power, was only open a few hours every morning, is now practically open from morning till night, and nothing but actual observation can convey the least idea of the travesty of its transactions. Malice and partiality, whenever there is a motive, and ignorance, in its absence, are the rules of decision. The officials of the court, justices and policemen, co-operate in the work to make fees, and every act, or word, or deed of the citizen, whether atrocious in its character or too frivolous for the law to take notice of, is brought before a justice, and the party, if not fined, is required to pay the costs; and if there is more than one party the cost is doubled, and both parties made to pay costs. White men are arrested for the most frivolous acts by negro policemen and borne along to the mayor's office followed by swarms of jeering and hooting and mocking negroes, and tried, fined, and lectured, and imprisoned by a *negro* justice, and then followed to the jail by the same insulting rabble.

A. I have no personal knowledge of that fact at all. I know there never has been a time in Danville that I recollect that a person committing an offense, they take him to the court-house before a magistrate who tries him or not, just as he pleases, but whether they do it at all hours of the day or not, I don't know.

Q. Well, all these minor offenses tried before a magistrate come before your court, if of magnitude?—A. Very few of them.

Q. Before what court are indictments found?—A. My court; but in Virginia, for the last eight years certainly, and I believe longer than that, probably ten, certainly eight, the magistrates have concurrent jurisdiction in almost all misdemeanors with the county and corporation courts.

Q. Is there no appeal?—A. There is an appeal; but in a great majority of cases no appeal is taken.

Q. I will ask you if the conduct of these officers and justices, &c., has been made a matter of complaint that you know of—general complaint by the city?—A. No complaint was made to me of Jones's behavior as a magistrate, and never has been up to this time.

Q. Have they ever been arraigned before the grand jury, that you know of, for misconduct or malfeasance in office?—A. No, sir; but one of them might have been. However, I am not certain, either. It seems to me that one of the magistrates, W. H. Luck, I think—it seems to me was indicted for carrying concealed weapons. I am not sure of that.

Q. For carrying concealed weapons?—A. Yes, sir.

Q. There were ninety indictments made at that time, were there not; how many indictments were made?—A. I do not recollect the number; probably one hundred.

Q. And he was one of them?—A. I think he was one of them; I am not sure of that.

Q. I will ask you whether this young negro Jones was a good or bad magistrate, so far as you know?—A. So far as I am informed, I have heard the deputy sergeant, a very estimable man, a Democrat, too, say

he was a long way the best magistrate in the lot; I have heard others say that. He may have been that and not a very good one.

Q. Had you white magistrates?—A. Two.

Q. How many negroes?—A. Only one, Jones.

Q. Two white magistrates and one colored?—A. Yes, sir.

Q. And you understood that Jones was rather the best of the lot?—A. That's all I ever heard about it.

Q. From what this gentleman said?—A. Yes, sir; well, I have heard several other white men there say the same thing. I have heard the clerk of the court say it.

Q. Then the signers of this paper say that this negro—

There the most active justice is a young negro named Jones.

A. I don't know whether that is true or not.

Q. Well, that is rather a compliment to him, saying he was the most active of the three. There were only three in Danville then, were there?—A. Only three justices.

Q. It says:

At the October court of this year two of the party magistrates were removed from office by the judge of the hustings court, one for embezzling the money of the commonwealth, the other for "causes sufficient to the court," and one of them has fled the town to avoid indictment.

A. That is true.

Q. Which one was that?—A. W. H. Luck. He fled the commonwealth to avoid indictment for not paying over moneys for fines he collected.

Q. Was he a white man or a colored man?—A. He was a white man, and so was the other magistrate, R. E. Lee.

Q. Both white men?—A. Both white men. I removed them both. That is one of the few things in this paper that is true.

Q. Is there anything in this statement showing that they were white men?—A. No, sir; I don't remember that there is or that there is not. I don't think there is.

Q. Would not the good people of the southwestern valley of Virginia in reading this paragraph have supposed, as I did until you mentioned it, that these were negroes?—A. An ordinary reading would lead you to think so, I think; I must confess I think that is the case.

Mr. VANCE. I think this is rather a stretch of the examination.

By the CHAIRMAN:

Q. I will ask you if this Luck was not elected as one of the magistrates in a Democratic ward?—A. He was elected by the people in the third ward, I think, which is the one in which the whites had then, and I think now have, the majority.

Q. Then he was elected in a Democratic ward; had he not served under a Democratic judge?—A. He had not served as a magistrate under Judge Aiken, but had been Judge Aiken's commissioner of accounts, or trusts, which is a responsible position, to settle fiduciary accounts.

Q. He was elected by the people of a Democratic district as a magistrate, and he was the rascal you turned out?—A. He was the rascal I turned out.

Q. Is there any more important office in your county than that occupied by Luck, of trust commissioner?—A. None whatever.

Q. We call it the probate judge.—A. I have seen the expression in your newspapers, but never knew what it was.

Q. Go to the next thing. I will ask you whether there is truth in this:

The notoriety which this state of things in our town has produced has attracted to the town large numbers of idle and filthy negroes from the border counties of North Carolina, and from Halifax, Mecklenburg, and Charlotte, Va.

What do you say to that?—A. I do not think that is correct; my impression is that the negro population of Danville and particularly the transient population, that is, those that come and stay some months and leave, increases annually because the number of tobacco factories increases annually, and they come there to work.

Q. It is not because of the offense that you charge as false?—A. No; it has been that way for fifteen or sixteen years; ever since I have been in the town.

Q. What is the extent of the business in Danville compared with what it was at the close of the war?—A. Well, I never lived in Danville then.

Q. Don't you know the fact?—A. I went to Danville in 1869, and I know that the tobacco sales are ten or twelve times as great now as they were then.

Q. Danville has got to be a large city, hasn't it?—A. My recollection is that when the first report of the Tobacco Association the first year I reached Danville, they sold less than four millions of pounds and now they sell from forty-five to fifty millions, I believe.

Q. Now they speak of these vagrants:

Although there is a law against vagrants they are never disturbed.

Whose business is it to arrest vagrants?—A. It is the business of the officers. We have a law in Virginia against vagrants. I don't know whether there is an ordinance of the corporation against them or not.

Q. Well, the majority of these magistrates are white men?—A. Yes, sir; I think during the years I have been in Danville I have known a few instances in which vagrants were taken up and sent out of the city, but very few instances. We have very few vagrants about there. Our people are mighty busy turning round and working.

Q. Very busy at work?—A. Yes, sir.

Q. Can you state whether you have in Danville any more of this class of idle people than you have in other cities of equal size?—A. My observation, since I have been there, is that we have less by a good deal. Danville is the most thrifty business place going; what you may without offense term the most Yankee place that I know anywhere at all.

Q. Now, is this true:

Although there is a law against vagrants, they are never disturbed. They infest the streets and sidewalks in squads, hover about public houses, and sleep on the door-steps of store-houses and the benches of the market place. They impede the travel of ladies and gentlemen, very frequently forcing them from the sidewalk into the street. *Negro women* have been known to *force ladies* from the pavement and remind them that they will "*learn to step aside the next time.*" *In several instances white children have been struck by grown negroes.* We know of several cases where the *lie* has been given to a white lady to her face by a negro.

I will ask you if that is the situation of society in Danville?—A. In reference to the streets and sidewalks being infested by negroes hovering about public houses I know nothing of that kind, except that on Saturday evenings there are crowds about the streets and you get along sometimes with difficulty; persons passing, that is all. As to sleeping on door-steps and benches, &c., I go home and go to bed. I do not know how the man that wrote this thing found that out. I never heard of it before. As to impeding ladies and gentlemen, they are very

often impeded in Danville and elsewhere, as ladies and gentlemen are whenever they get into a crowd; not otherwise.

Q. You have been in Baltimore and New York, have you?—A. Yes, sir; and Philadelphia and Boston.

Q. Is there not the same kind of obstruction there?—A. The same kind of impediment and obstruction that, so far as I know, exists in Danville exists everywhere else. I believe there is less of it on Broadway, in New York, than anywhere else I have seen, because people go up one side and down the other.

Q. Are not the negro people, as a rule, peaceable and polite compared with the same class of white people?—A. So far as I know the negroes are defferential to white people. I have been run against by negroes and whites, and I always thought it was an accident, and I have run against them myself.

Q. Now, I will ask you whether taking that whole paragraph, is that true?—A. I cannot think it is true.

Q. Now, would not the tendency of such statements as that made to the people of the white counties of Virginia make them believe that you in Danville were subject to an ignominious negro rule by which these people oppressed you and denied you the ordinary decencies of social life?—A. I should think that would be the impression made upon the mind of the ordinary reader.

Q. Now, is that correct?—A. No, sir; it is not.

By Mr. VANCE:

Q. How much of that paragraph does your denial cover?—A. I understand it covers that portion about the behavior of the negroes. I can only say until I saw this statement in this paper I never heard of it before.

By the CHAIRMAN:

Q. Did you appoint the magistrates to take the place of those two men whom you removed?—A. I did.

Q. Whom did you appoint?—A. I appointed a gentleman by the name of Ogleby, and another gentlemen by the name of Venable.

Q. Are they white men?—A. They are both white men, and I think both Democrats. They are both of them men of capacity and of the highest integrity and I made a written request of them if they would accept the office and faithfully attend to the business. They said they would and I appointed them and they still hold office.

Q. When was that done?—A. That was done at the October term of the court last year, I think.

Q. Was that before this circular was issued?—A. I think that was done before this circular; I do not remember about that, though.

Q. Then there is no mention of that made here?—A. There is no mention of it made here.

Q. But it was made before the circular was issued?—A. I think it was. By the way, what is the date of this circular?

Q. It has no date.—A. I never saw this circular until may be five or six days before the election.

Q.:

A few nights ago the negroes were very indignant because they heard of the earnest work that was going on by the whites, to register all their voting strength, and called a meeting, which was addressed by an incendiary negro, named Pleasants, a postal agent, and one of the town councilmen, hired at the custom-house, and they passed a resolution requesting the governor to have Federal troops sent to our town on election day, to intimidate the white people at the polls.

What have you to say to that?—A. I do not know whether that is true or not. I never heard of it until I saw it here.

Q.:

They have also a scheme to amend the town charter if they elect the legislature this fall, and take into the town a large negro settlement, outside of the town limits, called *Jacksonville*, by which they will get several hundred more black voters, and then it will be impossible for any white man to hold office in the town. We know this is their plan.

Did you ever hear of that?—A. I never heard of that until I saw it here. He knows a great deal more than I do.

Q. They had a better opportunity of knowing schemes of the people than you.—A. Yes; much better, judging by this.

Q.:

It is well known that hundreds of the North Carolina tobacco raisers who live within a few miles of Danville, and used to sell their tobacco in our market, now go five times as far to a market in their own State, *on account of the negro rule in our town*. At the negro meeting, referred to above, one of their speakers said they did not want the people of North Carolina to come here anyway.

Do you know anything about that?—A. I never heard of the negro meeting until I read about it here, and therefore do not know anything about what the negroes said, and as to the tobacco men in North Carolina, I do not know anything about that.

Q. I see the words "On account of the negro rule in our town," are italicized?—A. Yes, sir.

Q. What was meant by "negro rule"?—A. I suppose it meant Coalition rule.

Q. Yes; but the Coalitionists, I understand, were white men?—A. Well, a great majority were, but I am speaking after the manner of the circular.

Q. Then they intended to apply the term "negro rule" to the rule of the Readjusters?—A. I suppose so; I cannot see any other meaning than that.

Q. Read the next paragraph and see whether that is true or not, according to your judgment. It is very eloquently written.—A.:

Now, fellow-citizens of the valley and southwest, we cry out to you in our affliction to deliver us from this awful state of *humiliation and wretchedness*. We know that, as a rule, the cries of the wretched make but little interruption of the general progress of things. The sun rises and sets all the same, and the work of the Government, and the work of the feast and the torture goes on with exactness and tranquillity.

It is true, I believe, that the sun rises and sets all the time, and that the work of Government goes on, I believe that is true, but I know nothing of the awful state of "humiliation and wretchedness" of the people of Danville, and, if it was so, I do not know how voters in the southwest could relieve the people of Danville in any way.

Q. Let me read this:

But we appeal to you by that sympathy which constitutes the bond of union between honorable men struggling in the cause of freedom, to help us throttle this viper of *negroism* that is stinging us to madness and to death, *by voting against the Coalition-Radical candidates who are yelling and screaming with delight at the prospect of fastening its fangs into us forever*.

A. Well, I regard that clause and the one that follows it, just as a sort of cure that you politicians have the habit of putting in your speeches; I never heard one of the speeches that one of you made in your life that you did not think the country was going to the devil.

Q. Well, you say this produced an excitement when it was brought out?—A. I had very little opportunity of judging, but as far as I can judge, it did.

Q. Do you know whether it was circulated openly there in Danville?—A. It has never been circulated there at all, as I know. As I told you, it was just a very few days before the election; the date of my telegram and letter to D. S. Lewis will show the first time I ever saw or heard of that circular.

Q. How soon after this was it that Sims made a speech in Danville?—A. I do not recollect, because I tell you I do not recollect the date of my first seeing that circular. If you can find my telegram to Lewis I reckon I can tell you. I think it was a very few days before election. My impression is that Colonel Sims, at the time he was stated to have made a speech, which I did not hear, happened a day or two after I saw that circular.

Q. I will ask you if you wrote to Mr. Lewis?—A. Yes, sir.

Q. A letter dated November 1, 1883 [handing witness a letter]. Look at that letter and say if that is the letter you wrote to him. I see it is published in the election contest of Sims and Hurt.—A. Yes, sir; I am the author of that letter. I cannot speak positively as to the date; I assume it to be correct.

The Chairman. I offer this letter in evidence.

Q. This expresses your opinion of the matter at the time?—A. It expressed my opinion then, and expresses it now.

Q. I will embody it in your testimony at this point:

DANVILLE, Nov. 1, 1883.

Hon. D. S. LEWIS or Hon. JNO. PAUL:

I have to-day seen for the first time the circular headed "Coalition rule in Danville," and addressed to the people in the southwest and valley of Virginia. I have read this circular with mingled feelings of astonishment, sorrow, and indignation—astonishment and sorrow at seeing the names of some persons of known integrity and truth (if their signatures be not false) affixed to a document containing so much falsehood, and these elements so ingeniously commingled together that entire false impression is left upon the reader; and indignation that any class of men, however morally depraved by nature or education, or however blinded by prejudice and passion, should be so far lost to ordinary reason and common sense as to indorse a paper which has been evidently prepared for a political purpose by some one who is regardless of truth.

I am free to say that I am perhaps as well acquainted with the behavior and conduct of the people of this town as any citizen in it, and I believe the great majority of the statements made in said circular are utterly false and without any foundation in fact. Indeed I have been able to find but two statements which are true, and these are in reference to the removal of two justices of the peace.

You are at liberty to use this telegram as you think proper.

JOHN D. BLACKWELL.

Q. Did you hear the speech of Mr. Sims?—A. No, sir; I did not hear his speech or anybody else's. I was at no meeting during the last canvass; my health was so I could not get about at all. I have to stay in the house at night.

Q. You mentioned to Senator Vance you thought it better to submit this matter to the grand jury because you yourself were a witness to a portion of the transaction?—A. Yes, sir; that was one reason, but perhaps other reasons might be given.

Q. Did you charge the grand jury on that occasion?—A. I did; I charged them especially about the Danville riot.

Q. Give me the substance of your charge; here is a paper signed by you [handing witness paper]; you may take that to aid your recollection if you choose?—A. I read that this morning. I wrote that letter myself.

Q. State the substance of your charge, refreshing your recollection by that.—A. I charged them about offenses generally, such offenses as are usually charged in our State by judges, given to the grand jury, but then

presently I got to the Danville riot; there I dwelt at some considerable length, because I had first to explain to the grand jury what a riot, unlawful assembly, and rout were; all three intimately connected together. I did explain as well as I could and intelligently as I was able to do, undertaking to impress upon the jury how grave a crime at common law, especially under our statutes, a riot or rout was, and especially when attended with damage to property or life. I charged the jury that any man who fired a pistol in that riot at another was not only guilty of a riot but guilty of shooting at another under our statutes; that if he struck or wounded any one he was not only guilty as a rioter but guilty of felonious wounding. If the wound produced death he was guilty not only as a rioter but as a murderer, and I charged them carefully without fear, favor, or affection to inquire into the whole matter and see first whether there was a riot, rout, or unlawful assembly; if there were, who constituted the rioters or routers; to find out how many persons were wounded as far as they could; how many were shot at, and, if possible, how many were killed, and urged them as a matter of the vindication of the law, for the safety of order and good government, to prosecute the matter as extensively as possible, to get all the facts and indict the parties, if any, they found guilty. That, I believe in a few words is the substance of what I had to say about the Danville riot.

By Mr. LAPHAM:

Q. Have you a statute defining what is a riot?—A. Only as it is the common law. Our statute has not changed the common-law definition of riot at all.

By the CHAIRMAN:

Q. I will ask you whether the assembly of those three men, Lea, Noel, and Taylor, armed as they were, was not itself a riot under your law?—A. Under the definition of the law, the assembly of three men, whether armed or unarmed, for an unlawful purpose, is an unlawful assembly, and makes a riot.

By Mr. LAPHAM:

Q. Well, for the purpose of assaulting Lawson?—A. Yes, sir.

By the CHAIRMAN:

Q. Then this would be a riot according to the Virginia law?—A. Yes, sir; and according to the English law, because that is the Virginia law.

Q. You have the statutory law?—A. We have the common law except where the statute has modified it, and, in a large number of instances, it has not done so. The old English common law, in reference to unlawful assembly, riots, and routs, obtains in Virginia to this day.

Q. Has there been any bitterness or partisan feeling among the Democrats of Danville, Va., against the members of the Coalition party? What is the state of feeling between the parties?—A. As far as I could learn, in some localities there has been a good deal of bitterness.

Q. What is the feeling among the Democrats there toward the white Coalitionists? You spoke of that.—A. Yes, sir; I did that in answer to your former question.

Q. I will ask you if that personal feeling extended to their personal relations or social relations?—A. I have reason to think that in some instances it did. It ought not to have done so, but I believe it did in some cases.

Q. Did you yourself experience or see any such evidences of hostility?—

A. There was a good deal of coolness manifested toward me. There

was a number of men who were formerly very friendly to me that will scarcely speak to me. It is a matter of very little moment, though, hardly worth talking about.

Q. No; but I want to know whether that grows out of political relations?—A. I know of nothing else; though let me add another word in justice to all parties; in a vast majority of instances, though, there has been no such coldness as I spoke of just now.

Q. Only in regard to a few. You spoke of being a soldier. Were you a Confederate soldier during the war?—A. Yes, sir. I was in the entire war for four years, except nearly twelve months, when I was a prisoner of war.

Q. Besides the Danville circular, as we will call it, can you cite any other document or proof showing a disposition to make the race issue, classifying all Coalitionists as negroes?—A. No, sir; I cannot cite any particular one now; from the Lynchburg papers which I saw during the canvass, the Danville papers, not all the Richmond papers, but some of them, and the extracts that I saw, not from those papers, but from other papers in the State, it was evident the key-note of the campaign was to excite the color line.

Q. Was there a campaign paper published?—A. Yes, sir; published in the city of Lynchburg; I believe it is the same paper under the same name published there still. In fact, I know it is.

Q. The tendency was to draw the line on the color line and class all the Coalitionists with negroes?—A. Only as I could judge from the public prints, and, judging from them, that was the key-note of the campaign.

Q. As a matter of fact, was not the settlement of the debt by the Coalitionists acquiesced in by the Democratic party in the last canvass?—A. So considered in Virginia; they announced their intention to acquiesce in it and have so acted since.

Q. And they then drew the line between the two parties on the color line?—A. Their organs do, unquestionably.

Q. When was your poll-tax repealed in Virginia; what year?—A. It was done by the legislature of 1881 and 1882. I think the law went into operation from its passage. I am not sure about it, but it was in April or March, 1882, I think.

Q. Then, in the election of 1882 and 1883 there was no demand for a poll-tax?—A. None whatever. Last fall was the first time when the payment of poll-tax was not a prerequisite of voting.

Q. Was it in the fall of 1882, too?—A. Yes, sir; I think so.

Q. The fall of 1882 and 1883?—A. Yes, sir; that was the first time. Time flies so rapidly that I omitted to say last fall was the second.

Q. Do you remember when that poll-tax was first levied?—A. It was a number of years ago.

Q. I will call your attention to it again; was not the repeal of the poll-tax adopted at the time of the election between Wise and Massey? Was it not that election that adopted it?—A. Oh, yes; the people voted upon it at that time, and last fall was the first election since the limitation was removed.

Q. Did that limitation, while it lasted, operate to exclude the colored vote in Virginia?—A. Yes, sir; and a very large number of the white vote, at least so the figures would seem to indicate.

Q. So that the first contest of a free vote for every male citizen above the lawful age was made last November?—A. Last November at the November election.

Q. How were they prevented from voting by the existence of that

tax?—A. Because they could not pay that money, or did not have it; intended to pay it, but did not have it at the time.

Q. How could they pay it; did they have to go to the county court to pay it?—A. I am not sure I am correct about this. I will make a statement, however. They were required to pay it at the usual time for paying taxes; if they did not pay their taxes at the time they were required to pay them, that tax, and property tax, and all other taxes, at the same time the election was going on they could go to the clerk of the court and pay it to him, and he would give them a receipt; and when the election came on and they came to the polls they would present that receipt to the judges of election, and then if they were found to be properly registered they would be allowed to vote.

Q. Then they had to go to the county clerk?—A. Or the corporation clerk.

Q. They would have to come from different parts of the county to do that, didn't they?—A. Yes, sir. I may be wrong in that. I say the county clerk; it may be the county treasurer.

Q. At all events, they had to go to the county town?—A. Yes; to the county town.

Q. However remote they lived from Danville, they would have to go to the county seat to pay the taxes?—A. Yes, sir.

Q. To what extent did these difficulties that you have mentioned prevent the colored people from voting prior to the repeal of the poll-tax?—

A. That is a very difficult question to answer. I cannot answer it, because I don't remember.

Mr. VANCE. Does the question refer to Pittsylvania County?

The CHAIRMAN. Well, confine it to Pittsylvania County, if you please. What proportion of the colored vote, in your judgment, was prevented from voting either by the poll-tax or by the difficulties of the other?—

A. My impression is that from some causes, I don't know whether from legal causes or what causes they were, that in proportion to the population it operated to prevent more colored people, and white people too, from voting in Pittsylvania County than in any other county in my State. But as to the percentage in which the vote was diminished I do not know. It was generally thought it was a considerable per cent., but that was derived from rumors, and I couldn't say.

Q. You have formed no opinion about it?—A. No, sir.

By Mr. VANCE:

Q. You say that under the old tax system, requiring the prepayment of taxes before the party could vote, that a man could go to the county treasurer and pay his tax and vote even if he had not paid at the regular time?—A. Either the county treasurer or the county clerk, I am uncertain which; I think, however, he might go to either officer.

Q. He could not pay to either, though, until after he had been reported as delinquent, could he?—A. I don't know that he would be reported as a delinquent until after the end of the year.

Q. How did the tax collector settle with the State if he was not reported as a delinquent?—A. I cannot state; I don't know that he would be reported as a delinquent at all until the end of the year. Of course a report would be made, but I don't know at what time it would be made.

Q. Well, the tax that was required to be paid as a prerequisite to voting was the tax of the year before, not the current year?—A. Not the current year, the preceding year.

Q. Well, those certificates, or rather receipts of taxes paid, had to be

exhibited at the day of election, had they not?—A. That was the custom in our State.

Q. Was not it the law?—A. Yes, sir; I think it was the law. I don't reckon there is any doubt about that.

Q. Was it not charged all over the State, from one end to the other, that thousands and thousands of colored men voted upon receipts that had been fraudulently issued to them?—A. Yes, sir; it was charged that thousands of men, both colored and white, did it.

Q. But especially it was charged by the Democrats upon their opponents, wasn't it? Of course I am not asking you whether it is true or not.—A. I think it was a general charge of both sides. I don't remember that one side charged more than the other.

Q. Didn't you know that in the contest between Massey and Wise that that is the main allegation that Massey relies upon? No, sir; I have never seen Massey's brief or argument, or whatever you call it.

Q. You don't know that he alleges that there was five thousand votes cast against him on fraudulent certificates?—A. No, sir; I don't know that he alleges that. It seems to me I have heard it, and that he alleges that there was more than ten thousand.

Q. Well, the greater includes the less.—A. Oh, unquestionably.

Q. You were asked if this circular was distributed in Danville, and you replied, "Not at all," that you know of.—A. Yes, sir.

Q. It was not addressed to anybody in Danville, was it?—A. No, sir.

Q. It was distributed among the people to whom it was addressed?—A. I suppose so.

Q. Was there any attempt to keep it a secret in Danville, or was there just a failure to make use of it extensively as a campaign document?—

A. I can only express an opinion about that, if you desire to hear it.

Q. You don't know what the facts are?—A. No, sir; I know nothing about the facts at all.

Q. When did you see the circular first?—A. I saw it on the date of my letter to Mr. Paul. I see it is dated the 1st of November; if that be correct, and it presumably is correct, that is the first I ever heard of it.

Q. Do you know how long that was after the circular had been printed and given out?—A. No, sir; because I don't know when the circular was given out or was printed. Indeed, I didn't know that such a document was in existence, or contemplated, until I saw it that day for the first time.

Q. Did you hear Sims's speech?—A. No, sir; I did not hear any speech during the campaign of any kind; was at no public meeting of any kind whatever.

Q. You were not well?—A. No, sir. I should not have gone if I had been well.

Q. But you would have been more on the streets, and have known more of what was going on?—A. Yes, sir; no doubt about that, I reckon.

Q. You say the circular created considerable excitement at Danville when its contents were known?—A. I said that I had but little opportunity of observing whether it did or not, but such opportunity as I had I thought it did.

Q. Did you know whether Mr. Sims's speech created any excitement or not?—A. I was informed that it did.

Q. Now you have heard what it was said Mr. Sims's speech contained, that he took up these signers of this circular one by one and denounced

each one as a liar, scoundrel, and perjurer.—A. Yes, sir; I have heard that said, and a coward, some of the witnesses say.

Q. Was that not more calculated to produce excitement than anything stated in the circular?—A. It was more calculated to cause bitter personal feeling on the part of these gentlemen against Mr. Sims than anything he said of the circular was.

Q. Well you have designated the circular as false in the main, and calculated as a whole to make a false impression?—A. Yes; I believe it does.

Q. When Mr. Sims denounced those men as liars, scoundrels, and perjurers, did he tell the truth?—A. Well, a number of those men I do not know; if he used that language in reference to the gentlemen whom I did know, I say that Mr. Sims was entirely mistaken. They are not liars, scoundrels, or cowards, those whom I know, and they ought not to have been so denounced; and I will add further, if it is not improper, if he did so denounce them some one ought to have given him a whaling, but I never heard that they did it.

Q. You spoke about the race issue. You were asked if this circular, and other attempts of the Democrats, did not call for a race issue—array the whites against the blacks?—A. Will you repeat that, please?

Q. You were asked if there was not an attempt made by the Democrats, in this circular, and otherwise, to create a race issue?—A. Yes; I was asked that.

Q. I will ask you if the colored people themselves did not create a race issue?—A. Not that I know of.

Q. Don't you know, or do you know, that they ostracise, in the most ultra manner, most colored men that tried to vote the Democratic ticket?—A. I never knew it until I saw it in the Danville papers last fall.

Q. Do you know it now?—A. Only now, as everybody seems to know it now.

Q. Have you never heard any expressions among themselves of very violent feeling toward any man who would vote the Democratic ticket?—A. Never until I came into this room, when I heard a woman, whose name I have forgotten. That is the first and last that I ever did hear of that character.

Q. Do you know of any colored men in the town of Danville or the county of Pittsylvania who were Democrats?—A. Ever since I have been in Danville—I cannot answer of my own knowledge—I have always heard of two or three dozen colored men who voted the Democratic ticket. I do not know that it is true.

Q. You do not know that they were persecuted by their own race?—A. I do not know; never heard any such thing until I saw it in the Danville papers last fall.

Q. Did you know, or do you know, that the Democratic paper promised any colored man that they would personally protect him if he voted the Democratic ticket?—A. I was informed that such an address was issued. I don't remember whether I saw it or not.

Q. Don't you know that it was published in the papers that Mr. Fred. Douglas, the great apostle of the colored people and miscegenation, had advised the colored people to make it too hot for any to vote the Democratic ticket?—A. No, sir. I have heard of his miscegenation ideas, but I never recollect to have heard of that.

The CHAIRMAN. If you can show that Mr. Douglas did say so we would not object to it, but I do not think you can quote a newspaper as proving that fact.

Mr. VANCE. If that newspaper was circulated——

The CHAIRMAN. Circulated as a Democratic or opposing paper it would hardly be fair, unless you can prove the fact. If a colored paper said that I should think it would be proper, because that would go into circulation among the colored people and carry weight with it.

Mr. VANCE. It was undoubtedly circulated, and never denied that I know of, the attempts in Virginia to raise the race issue. I think it would be perfectly pertinent to ask if that statement of Mr. Douglas had been circulated, whether true or false.

The CHAIRMAN. But if you show that that was true, that such a statement was made, or was circulated among the colored people and believed by them, why that would be different; but I think it would be hardly fair, with our knowledge of the aptness of political party papers to falsify the opposition, to prove anything by them.

By Mr. VANCE:

Q. And you do not know the fact that the colored people ostracized each other when they attempted to vote the Democratic ticket?—A. No, sir; I do not know that they ever attempt to vote the Democratic ticket, but I have always heard that there were several in Danville who invariably did so. I do not know that that is true.

Q. You told us about your charge to the grand jury. Did you think your court had jurisdiction of that riot on the streets there?—A. Could take jurisdiction of it?

Q. Yes.—A. Yes, sir.

Q. Did you think that the courts of the United States had any jurisdiction of it?—A. I did not.

Q. Do you think that this Congress and this committee have any jurisdiction concerning that riot?—A. I do not. I am not a constitutional lawyer, but if you ask me my opinion upon that point I will give it to you.

Q. You were asked in relation to the bitterness exhibited by the Democrats toward the Coalitionists. Now, I will ask you whether that bitterness was not fully reciprocated; if the parties did not meet half way?—A. I have reason to think it was so. I have no idea that there was any slapping on one cheek and turning the other for a second dose.

Q. And it was about as bitter on one side as the other?—A. Oh, about as bitter, I think, as gall could make it.

Q. I will ask you if these issues which arise in the family, so to speak, in the party are not much more bitter than those which exist between the two parties, Democratic and Republican?—A. Family feuds are generally supposed to be the bitterest and most malignant. I presume that is true.

Q. You stated that there were two parties there, the Coalitionists and Democrats; what had become of the Republican party?—A. The Republican party, or as I think, at least, far the greater portion of it, belonged to the Coalition party, and were part and parcel of it, as I understand it.

Q. They had merged, then, into the Readjuster party?—A. Yes, sir; or the Readjuster party had merged into them, whichever way it was.

Q. Well, which constitute the most numerous wing of the Readjuster party, the Republicans or the white Democrats?—A. I think it probable the Republicans did, although at one time the white Democrats in Virginia were in very large number, undoubtedly.

Q. But they never were equal to the full Republican vote?—A. No,

sir; I think at one time they were more than the Republicans that voted with them; that is my opinion, but it is only my opinion.

Q. How was it in the last election?—A. In the last election there was certainly, in my opinion, a considerable falling off of the white Coalition vote; whether they voted with the Democrats or abstained from voting, I do not know.

Q. How did the vote then cast compare in amount with the previous vote?—A. I do not remember; but speaking generally, I can only say that I have seen it stated and heard it stated—you mean the aggregate vote?

Q. The aggregate vote?—A. That the aggregate vote was at the last time larger than it had ever been before, and I have seen it stated in the newspaper, but what the aggregate vote was I have never seen the figures.

Q. You have no doubt it was a very large and full vote, have you, at the last election?—A. From all I can see and learn from the public prints, I think it was.

Q. Did I understand you to tell Senator Sherman that Pittsylvania County was slightly Republican or Coalition?—A. I did not say so; I say I thought—will you repeat that question?

Q. I asked you if I understood you to say that Pittsylvania had a small majority, Republican or Coalition?—A. In Pittsylvania County, including the town of Danville, the parties were very evenly balanced, but I thought the majority were in favor of the Coalitionists, but a small one though.

Q. Did any candidate on the State ticket for the legislature, or governor, or Congress, on a general ticket I should say, carry that county within your remembrance, Republican or Coalition?—A. No, sir; not one.

Q. Then it would be more correct to say that it was a small Democratic majority, would it not?—A. My answer was addressed not to the polled but to the registered vote.

Q. Well, whose fault was it heretofore that the full registered vote did not come out?—A. I reckon it was the fault of the men who did not go to vote. I was somewhat surprised by the result at the polls; and surprised by the result of the polls of Pittsylvania County, including the town of Danville, which has been what you call Democratic.

Q. What would you call it?—A. I suppose I should take the old name to-day of Conservative Democrat, but I do not think there is much Democracy down there now.

Q. Well, is there much Republicanism in the Democratic party?—A. A good deal; the two parties seem to us to have changed very much. The man has changed into the serpent, and the serpent into the man.

Q. I should like to have your opinion whether the town was sufficiently quiet and order sufficiently restored for the colored men to have voted on Tuesday after the riot that Saturday?—A. From what little I could see, I passed not immediately by one of the precincts but within 75 yards of it, I suppose, and I was at the other precinct, that is, at the courthouse building in which it was held—it was held upstairs—I did not go past there, I had no vote myself, and therefore I did not go to the polls to vote, but from what I saw and could learn I thought anybody could have voted without being molested. That was my opinion then and is now.

Q. How long have you lived in Danville; you stated, but I have forgotten?—A. Since June, 1869.

Q. Well, from June, 1869, up to the last election did you ever see any

improper or violent interference or illegal interference with the right of the colored people to vote in Danville and Pittsylvania County?—A. No, sir; I never had any opportunity of seeing any in Pittsylvania County, and I never heard of any there and I never saw any in Danville.

Q. Did you ever hear any complaint of the colored people that they were not allowed to vote?—A. In Danville? No, sir. I did hear some little complaint in the Congressional election there between Colonel Cabell and Stovall, that they were retarded, some of them from voting, but not that they were not allowed to vote. That is all I ever heard.

Q. As a resident of the State of Virginia, and a man of intelligence and observation, do you think that the colored people have been treated fairly in Virginia with reference to their right to vote?—A. As a general thing I think they have. I never knew of any intimidation being practiced towards the colored people until last fall, if it was practiced then, and I hope never will know of it again.

Q. I will ask you further in justice to your State, if the people of the State of Virginia at large, up one side and down the other, are not as conservative and law-abiding and well disposed as any people on the American continent?—A. I do think so; that is my opinion, and I would be very sorry to think otherwise.

Q. So would we all. Now have you any facts tending to show that this riot was procured to be brought about for the purpose of intimidating the black people at the polls?—A. None whatever, and I would be very slow to believe that there was such a malignity and depravity to set on foot a riot premeditated for any cause.

Q. That would resort to bloodshed for the purpose of carrying the election?—A. Yes, sir; there are bad men everywhere, but that the majority of the citizens designed it and premeditated it, I never have believed and do not believe.

Q. Do you believe that riot had its origin in anything else except the inconsiderate and hot-headed young men that began that fight?—A. Nothing except that. In the highly inflammable state of public feeling I will say here what I know now but did not know then. I had no idea of what public feeling was at that time, not having had the opportunity of seeing.

Q. Not having been able to be out on the streets?—A. Yes, sir; it was like a spark in a barrel of gunpowder, as I since know, but did not have any idea such was the case then.

Q. Now in relation to this circular, under Mr. Sherman's examination I could not get exactly all the things that you alleged were untrue, believed to be untrue. I will go over it again briefly, if you please, without asking you to give each particular that you gave Mr. Sherman, just to see if I am correct in what you denied and what you did not. I understood you to say that the third paragraph, that in reference to the finances of the State, is correct?—A. The second, relating to the census, and the third also I have no doubt are true.

Q. If not true the official figures can very easily contradict it?—A. Oh, yes.

The committee here took a recess and reassembled at 2 o'clock.

By Mr. VANCE:

Q. Before the recess, Judge Blackwell, I began to go over with you the allegations in this circular and ask you which ones you designated as true, and which untrue and which you don't know.—A. Yes, sir.

Q. We had agreed, I believe, that the second and third paragraphs,

containing the statistics, were true?—A. The second and third paragraphs. Yes, sir.

Q. Now, the first two clauses of the fourth paragraph I believe you said were partly true and partly not true; that is, the wards were divided, but that it was not by that means that the colored people got any more power than they had before. Is that correct?—A. I think you have stated my answer correctly.

Q. Then the next controverted statement: "Then began the deeds which have so humiliated," &c., down to the end of the second clause in the paragraph, "those things were done which would irritate and wound the pride of the whites, it was executed with the keenest relish." I have marked on the margin that you do not know that to be true or untrue. How is that?—A. I do not know that to be true, and the latter part of it you have not correctly stated.

Q. I didn't quote it all; I just quote a few points.—A. I do not know that to be true, but from my knowledge I do not believe it to be true.

Q. You do not believe it to be true?—A. Yes, sir.

Q. Then another clause:

Out of nine policemen four *negroes* were chosen—something before that time unknown to the history of the town—two of them acting not only as *policemen*, but one as a *health officer*, and the other as *weighmaster at the public scales and clerk of the market*.

I have marked on the margin that you answered that that was true.

A. That is true.

Q.:

Out of the 24 stalls and stands at the market place, 20 are *rented out by the council to the negroes*.

I have marked here in the margin that you say that is untrue.—A. No, sir; I did not say that. I will say what I did say. There are 24 stalls and stands in the market, and they are all rented by the council or by a committee of the council, but I don't know and didn't know then how many were rented to negroes and how many to whites.

Q. Then you don't know whether that is true or not?—A. No, sir.

Q. Then the next paragraph, describing the scenes of filth and disorder and bad language, &c., about the market, I have you marked in the margin as saying that that was untrue.—A. Yes, sir; that was untrue; put down in such a way as to make a decidedly false impression, contrary to the truth.

Q. Then the next clause in relation to the white men having been driven out, you say that was untrue, or did you say it was true?—A. No, sir; I did not say whether that was true or not true. I do not know whether any whites had been driven out or driven in there, but I stated this, that the stalls and stands were rented out at public auction, according to law, to the highest bidder, and at this auction any citizen might buy. How many whites bid and how many did not and were driven out I do not know.

Q. Now, taking it for granted that the authors of this circular did not mean that men were driven out not by force or by any legal process, but by circumstances.—A. I have no idea that they meant that.

Q. But driven out by circumstances. Taking it for granted that they meant that, that they were forced by circumstances to withdraw their money and their occupation from such a place.—A. No, sir; I cannot say that is true, any more than it is now and was before that time.

Q. Well, you can say what would amount to sufficient to drive a man out of business?—A. No, sir; that would be something every man would have to settle for himself.

Q. The next paragraph:

The whites of the town are powerless to prevent this outrage upon their rights.

Do you say that is true or false?—A. Well, I do not recollect saying anything about that at all. I never heard of anything that I regarded as an outrage upon the rights of the whites. You will understand, I suppose, that that line refers to the preceding clause or paragraph.

Q. Well, construing the document by the whole tenor, don't you understand that they meant there by the word "whites" the Democrats as opposed to the Coalitionists who were partly white and partly colored?—A. Unquestionably the author of this paper meant it so to be understood.

Q. Yes. Now, in that sense, was it not true that they were powerless to help themselves, with the majority ever against them?—A. I cannot see that that majority had anything to do with the renting of the stalls.

Q. The majority had all to do with putting in authority those who did rent the stalls.—A. The majority in the town?

Q. Yes.—A. The majority in the council had; they had never been rented by any one but that council.

Q. In this case you say it would be untrue?—A. Yes; taking that view of it, it is not true.

Q. The paragraph that alludes to Colonel Raulston that he—

Is exceedingly offensive to the white people, and it is well known he takes no pains to carry out any of their wishes. Two of the negro members of the council hold positions under him at the custom-house, and they are as obedient to his will in the council as they are in the revenue office?

A. The fact that two negro members of the council held positions under Colonel Raulston at the custom-house is true. As to his being exceedingly offensive to the people, and it being well known that he took pains not to carry out their wishes, I had no knowledge of that fact; never heard a syllable of it before and never have since.

Q. Now, the next paragraph, the first clause of it—

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government.

Allowing now for the magniloquence of using the word "slaves"—a little rhetoric—is that not practically true that it was controlled by the officers of the Federal Government?—A. I should say it is not true, unless officers and employes of the Federal Government, being I believe according to this paper three in number, could control nine others. I think that was the statement I made.

Q. Well, let us see. There are two parties, one composed of 50 and the other composed of 60 members, and those parties hold caucuses or separate meetings and nominate candidates or do anything else by party strength. Thirty-one would control the larger party, and the larger party would control the minority party, so that 31 controls. Is that not so?—A. Yes, sir.

Q. In your practical politics?—A. If there were not any bolting in your practical politics it would be so.

Q. Well, the Coalition members of the council consisted of seven members, and four of them consisted of revenue officers and negroes?—A. Three of them.

Q. Three of them consisting of revenue officers and negroes; if they could control the majority of their party, they would control the whole twelve, would they not?—A. Certainly; just as I said, if three men can control nine.

Q. But it is reduced to less than that, is it not?—A. Yes, sir; just as one man in the State of New York might elect the President of the United States.

Q. By a deciding vote?—A. Yes, sir; you might say one man could control the whole United States.

Q. Yes, but, practically, how many Republicans or Coalitionists were in that board?—A. In the council?

Q. Yes, sir.—A. Eight.

Q. How many were there of both parties?—A. There are twelve in the council altogether, eight Coalitionists and four Democrats.

Q. Now, Colonel Raulston coming in, his own vote for one, and his two employés, being three, he would only have two more of his own party to influence to get a majority of the council, would he?—A. Five would not be a majority of thirteen.

Q. Well, it would be a majority of a quorum.—A. I do not remember what a quorum is, but I suppose it would be.

Q. And in that way it is possible that the legislation of your council would be practically in the control of Colonel Raulston?—A. Certainly, it might be so.

Q. So that might be true and might be false, according to the actual influence that Raulston might exercise over the council?—A. Yes, sir; I have heard it said once that Henry Clay, a United States Senator, practically controlled the United States Senate by personal influence.

Q. The next paragraph, or at least the remaining portion of that clause that I have quoted, has reference to the amount of property owned by negroes?—A. Yes, sir.

Q. Was that not true that the men who practically controlled the government were not property-holders?—A. No, sir; I think that is a mistake. So far as I knew then and know now, and believe, Colonel Raulston owned no real estate in Danville, none that I knew at all, but my recollection is, and I think it is accurate, that the negro councilman Batts did own some at that time, and that Paine owned some, and still owns it. Batts, however, sold his and left the place, as I am informed. I do not know that personally.

By Mr. LAPHAM:

Q. That is since the riot?—A. Since the riot; yes, sir.

By Mr. VANCE:

Q. Now, Lipscombe was a colored member of the council, was not he?—A. Yes, sir.

By Mr. LAPHAM:

Q. You speak only of the ownership of real estate?—A. Yes, sir; I speak of the real estate, because I have no means whatever of knowing whether any of them own personal property or not.

By Mr. VANCE:

Q. Lipscombe was one member of the council, a colored man?—A. Yes, sir.

Q. What property did he own?—A. I do not know. I never knew him or heard of him before he became a member.

Q. Another colored man was Swann, was he not?—A. Yes, sir; I think he is a member of the council now.

Q. What property did he own?—A. As I understand and have always understood ever since I have been in town, that he owns a house and lot, may be more than that; I reckon two of them. I am not sure of that. I am speaking from general recollection.

Q. And Baine, another councilman, what did he own?—A. He owned a house and lot, so I have been informed, and I think I have seen it on the land-book of the town in the last year or two, but not recently.

Q. Do you know anything of the property or amount in value taxable?—A. No, sir; I do not; I presume it was small.

Q. What about Batts?—A. He owned some lots, as I was informed. I do not know whether they were improved or unimproved, perhaps unimproved, but I have understood that since the election he sold them and left the place. That, however, is mere hearsay.

Q. Well, we want to inquire the date of this circular, anyhow?—A. Well, I am speaking as of that date.

Q. Those four men I have mentioned are all colored men, are they not?—A. Yes; I believe they are all colored.

Q. Only Raulston was president of the council?—A. Yes, sir.

Q. What did he own?—A. So far as I know he owned no property in Danville; no real estate that I am aware of.

Q. Was he a native there?—A. No, sir.

Q. How long has he been there, and where did he come from?—A. He came to Danville from Petersburg, as I was informed; I do not know that of my own knowledge, and he has been in Danville from five to seven years; I don't know how long.

Q. Mr. Arrington?—A. Mr. Arrington has been living in Danville for a number of years, I do not know how long. He is a citizen there and real estate owner. He was born and raised in the county of Franklin.

Q. Mr. Robinson?—A. I do not know whether he owns property or not. My impression is that he did at one time, but my impression is that he failed there.

Q. Beckner, another councilman?—A. Beckner has been living in Danville as long as I have. He is a man, I reckon, worth \$20,000 or \$30,000.

Q. What kind of property?—A. Real estate. I am not speaking of personal property at all; that fluctuates so, and is perishable.

Q. You are speaking of visible property?—A. Yes, sir.

Q. You think he owns \$20,000 or \$30,000 of real estate?—A. That is my impression.

Q. What business does he follow?—A. He has been a liquor man ever since he has been there, selling liquor in one form or another.

Q. Do you mean wholesale dealer or saloon keeper?—A. Well, he has a saloon. I do not know whether he sells wholesale or not. He has a considerable establishment and a large building that he uses for that purpose; I do not know especially the nature of his business.

Q. How much do you think the whole councilmen were worth in real estate, all that I have named?—A. Not a great deal. I do not know how much. You could form a better estimate, I reckon, from what I have told you than I can. I have not a very definite idea of the value of Beckner's property, but much more nearly of his than I have of any of the others. I do not know what they would all amount to altogether.

Q. Well, let us go to the other clause:

The Federal Government, through its internal-revenue collector and the negro councilmen hired by him to scrub the floor of the custom-house and make incendiary speeches against the white people of the town, make our town laws, levy and collect our taxes, distribute our money, and elect *negro policemen* to watch our town while its inhabitants are asleep.

What do you say of that?—A. I say part of that is true and the other part not true, but all of it is so put together that the general impression made by the whole of it would be as a whole untrue.

Q. What part of it is true?—A. The internal-revenue collector did have at that time, and possibly has now, for what I know, in his employment two negro councilmen. I do not know that is true that he hired them to scrub the floor. As to making incendiary speeches I never heard of Pain's making a speech in his life; I have heard of Batts making a speech or speeches in the town or county, but I have never heard him make one.

Q. But you do not know whether it was incendiary or not?—A. No, sir; I don't know so; I don't know whether that is true or not.

Q. What position did these colored men hold in the revenue department?—A. As I understood and still understand, Batts was—I do not know what you would call him—I should call him watchman. I don't think that is the name they call him by—the United States public building there—I don't know whether it is janitor, something like that; that is not the name they called it by, though; I have forgotten what it was.

Q. What was the other?—A. Payne, I think, was a sort of clerk in the revenue office itself, doing something with stamps, as I understood and understand yet.

Q. You don't know whether either one of them swept the floor or not?—A. No, sir; I do not know that they did or did not, nor do I know whether either of them scrubbed it or not.

Q. Now, what part of it do you especially object to as being untrue?—A. I have told you the part of it that was true; they make our town laws; if they meant by "them" that they assisted to make them, it is a fact; but if they meant they made them, it is not a fact. "Lay and collect taxes" they assisted to lay taxes, but never collected a cent of taxes; and "elect negro policemen to watch our town while our inhabitants are asleep;" they, in common with other councilmen, did that.

Q. What do you construe to be the fair meaning of that, that they did all this by themselves, or that they were part of the body that did this?—A. I construe that the meaning intended by the writer of that was, that they were especially influential in doing all this.

Q. And as such, you pronounce it untrue?—A. As such, it would make a decidedly false impression upon the mind of the reader.

Q. Now, according to your judgment and what you know of the men, was it not understood that Mr. Raulston controlled the proceedings of the council?—A. No, sir; not that I know of. I have no idea that Mr. Raulston had a great control over these two men. I do not know that. I infer that, simply because they were in his employment; but that he really inspired and controlled the proceedings of the council, I do not know. He didn't inspire sufficiently to get himself elected president, I know.

Q. Well, you have some knowledge of the political machinery of bodies like that, have you not?—A. Bodies like the council?

Q. Yes.—A. No, sir.

Q. Or like a legislature or anything?—A. I know something about lobbying about the legislature and the way they do things there, but never knew the town council had anything to do with politics.

Q. Never knew that it had anything to do with politics?—A. No, sir; and I hope I never will. I have heard of such things, but never knew of it.

Q. Well, the next paragraph:

The police court of the town is another scene of perpetual mockery and disgrace.

I have you marked in the margin as—you don't know?—A. Yes, that is true.

Q. You did not visit it?—A. No, sir; I knew nothing about it. No information or complaint was ever brought before me on the subject.

Q. I understand you to say that the allegations here about Jones are in the main true?—A. Yes. I will tell you in a moment what I think is a mistake. That in reference to his being cleared by the evidence of "his partner in a junk-shop." I think that is a mistake. He was cleared, but I think not on that evidence.

Q. Well, that evidence was given?—A. Yes, sir; and was not believed.

Q. You don't know whether the jury acted upon that or not—whether they gave it controlling weight or not?—A. I may say I do in this way, because a number of the jurors told me that they discarded his testimony because he lied, as he unquestionably did. I could state, if it were necessary, what influenced the jury to acquit him, but it would be unnecessary to state that.

Q. Is it true that the court was open, as stated in the next clause—that the court was open a greater length of time than it had been before that?—A. I don't know whether that is true or not.

Q. Do you know whether the assertion is true that the officials of the court, justices, and a policeman co-operated to get up indictments in order to make fees?—A. No, sir; I don't know.

Q. Do you know that the allegation is true that "white men were arrested for the most frivolous acts, by negro policemen, and borne along to the mayor's office followed by swarms of jeering and hooting and mocking negroes," and so on?—A. No, sir; I don't know anything about it. I have no doubt—without knowing anything about it—that negro policemen did arrest white men, and that negroes would follow them along on the street. I have frequently seen that, but that they would jeer him, or anything of the sort, I never noticed it.

Q. Well, the next paragraph relating to the removal of magistrates, you have said, I believe, that that was true?—A. Yes, that is true.

Q. And the first clause in the next paragraph:

The notoriety which this state of things in our town has produced, has attracted to the town large numbers of idle and filthy negroes from the border counties of North Carolina, and from Halifax—

And so on. I have you marked here as saying that that is untrue?—

A. I think that is untrue. I think in the first place we had numbers of idle negroes; I don't know how cleanly they were. The writer of this is probably better acquainted with them than I am. A large number of negroes are annually attracted to Danville, because of the increase of the tobacco factories, and they come there to work.

Q. The next clause, about infesting the sidewalks, sleeping on doorsteps, and so on, I have you marked as saying, you don't know?—A. No, sir; I go home at night and go to sleep; I don't know where the negroes sleep.

Q. The next clause to that, the impeding of travel of ladies and gentlemen on the street. I have you marked as saying that that is not so.—A. You are mistaken about that. I said I expected that that was so.

Q. Then I am very glad to make the correction.—A. Because I have frequently seen ladies and gentlemen, and not unfrequently been impeded myself, especially in going about there one day in the week—that is, Saturday—so much crowded that I have been in the habit of going a number of nights down in the street, and not on the sidewalk. But it was done not by negroes or whites either especially, but simply because of the crowds congregated.

Q. Now, this allegation, professing to refer to individual instances of disrespect to ladies on the street; do you know whether that is true or not?—A. I do not. I never heard of it before, and I cannot believe that to be true, because I know no people on earth would submit to such things. It is all false, for the people of Danville are not base cowards, and no people will allow their women to be insulted, much less men who were once soldiers.

Q. That is your individual belief?—A. It is my individual belief, founded on sixteen years living there. Still these individual instances, if anybody has given those individual instances and said they saw them—men of integrity—I expect they are true, but I can only say I never heard of them up to the time of this circular and have never heard of them since.

Q. Well, this clause about the murder of the farmer of Pittsylvania County, while on his way home from Danville, by negro men, is that true or untrue?—A. I was not questioned about that at all. In reference to the farmer from Pittsylvania—last summer, when I was absent from Danville, I saw before my return to the town, and learned after my return there, that a man had been murdered by three negroes, or by one of the three, at least, if not by all three, some 3 or 4 miles from town, in the county of Pittsylvania. They were brought to Danville, and for a short while lodged in the Danville jail, until they could be carried to Pittsylvania jail, which is some 40 miles off, and they were tried, convicted of the murder, and hanged. I was not questioned about that at all.

Q. I don't remember that you were. I will ask you if the Danville Grays or some white organization was not called out to protect these colored men from lynch law?—A. I was informed that they were. That was before my return to Danville.

Q. To conduct them to jail, the Pittsylvania court-house?—A. I am informed that they were.

Q. Well, this instance that is alleged by a colored man standing in a crowd of his friends with a pistol on his person, and with threatening gestures and loud oaths declared that he wanted to "start a row with some d—d son of a b—h of a white man that he might kill him." Do you know whether that is true or not?—A. I do not; I never heard of it before I was about to say until I saw this, but I think I did. My impression is that I saw published in the Despatch newspaper a letter sent by Mr. Ruffin—Nick Ruffin, I have forgotten his full name—to General Samuel Newberry, of the county of Pulaski, in Southwest Virginia, in which he stated that. I think I saw that in that letter, and if I did it is the first I ever heard of it until I saw this circular.

Q. He is one of the signers of this paper, is he not?—A. He is a member of the firm of Ruffin, Woolfolk & Blair, and as such a signer of this paper.

Q. Is he a respectable man; would you believe his statement?—A. Yes; if Ruffin will swear to me that that is so I will believe that it is so. I say swear to me, I mean if he would tell me so without swearing.

Q. The next paragraph relating to a meeting at which a resolution was adopted requesting that troops should be sent to Danville on the day of election, do you know whether that is true or not?—A. No, sir; my answer to that was I did not know anything about such a meeting and never heard of it until I saw it here.

Q. The next paragraph to that, in relation to taking in the town of Jacksonville, I have you marked as saying you don't know.—A. I don't know; I never heard of that until I saw it here.

Q. The next paragraph to that, in which it is stated that North Carolina tobacco raisers had declined to come to Danville on account of the state of things, I have you marked as saying you don't know whether that is so or not.—A. Yes, sir; I don't know whether that is true or not.

Q. Well, that winds up all the allegations, I believe, in the circular. What are the duties of the health officer?—A. The health officer of our town?

Q. Yes.—A. Well, as I understand, it is doing certain police or scavenger duties in the rear portion of lots—seeing that they are properly policed during the warm or hot months of the year. You understand what that is.

Q. He has some other duties to do than merely to go around and pick up dead cats, as suggested by Senator Sherman, does he not?—A. Well, yes, sir.

Q. He don't do that thing at all himself, does he?—A. Yes; I believe he sometimes does it himself.

Q. Does he not go and inspect and report any one whose lot is not in order?—A. Well, he can do that, and I believe that he has been in the habit of doing it.

Q. He cannot fine or punish anybody, can he?—A. Not that I know of.

Q. He makes a report?—A. He makes a report. I don't know that you understand me or that I fully understand you. What I intend to be understood as saying is this: That, as I understood, a portion of his practicable duty is to remove these things by himself or by his agent; and he may, if he thinks the owner of the house or lot has offended against the sanitary rules, make a report of it.

Q. Exactly; don't they have a cart in the employ of the corporation that goes around and removes the filth from every house?—A. Yes; I think they have several of them.

Q. What I mean, it is not the personal duty of the inspector to go around and pick up the filth himself?—A. No; I don't know that it is.

Q. But to see that it is done?—A. If it is I am satisfied he has not been doing it.

Q. Did you remove Luck?—A. Yes, sir; I removed him from the office of justice of the peace and also commissioner of accounts.

Q. When you went on the bench, didn't you find a rule existing that had been granted by Judge Aiken for that purpose?—A. yes; I found three rules, I think, against him—more than one, and I think it was three.

Q. You were asked about—— A. Governor, just a moment—I was wrong, I guess, now. I said there were three; I am certain there were four rules.

Q. Against Luck?—A. Yes, sir.

Q. In other words, the town had rather a bad Luck?—A. Well, it did.

Q. And good *luck* in getting rid of him?—A. I think so.

Q. Well, you were asked about social, personal ostracism—that it was attempted to be exercised by Democrats towards Readjusters—was there much of that?—A. I saw very little of it. I heard of something of the sort a good deal more than I saw. Of course I don't know anything about that.

Q. If I understood you, you had no personal complaint of that sort to make?—A. None, whatever. I make no complaint of anything of that

kind anyhow, but several persons were very cold to me that had not formerly been so, but it is not worth while talking about that.

Q. Now, in the majority of instances I will ask you if your friends could complain?—A. Oh, in a very large majority of instances, as I said to Senator Sherman, there is no change whatever, and has not been any.

Q. No change yet?—A. None whatever, sir.

Q. I will ask you if there was not as much, or more ostracism exercised by the negro towards their own brother?—A. Yes; you asked that before.

Q. Well, you need not repeat the answer.—A. I would say just here that I would like to correct an error that I fell into sometime during the examination. I stated that I had heard ever since I had been in Danville that a number had voted the Democratic ticket and never knew it. I may add, these three negroes, whom I can name, stated frequently that they voted the Democratic ticket.

Q. Did they tell you they had any trouble about it?—A. No, sir; did not speak of any trouble at all.

Q. Did any men ever talk to you about trouble they had in voting the Democratic ticket?—A. No, sir; I never heard of that at all until I saw it in the papers.

By Mr. LAPHAM:

Q. I see in this circular this paragraph :

At the October court of this year two of the party magistrates were removed from office by the judge of the hustings court, one for embezzling the money of the commonwealth, the other for "causes sufficient to the court," and one of them has fled the town to avoid indictment.

A. Yes, sir.

Q. You see from that that this circular was subsequent to that action, do you not?—A. Subsequent to the removal of these magistrates; yes, sir.

Q. You immediately filled their places with two Democrats, at the same term of the court at which these men were removed?—A. Yes, sir.

Q. Now, do you think that that was a fair statement to make?—A. No, sir; I don't think that that circular was intended as a fair statement about anything.

Q. Now, in that respect was it a fair statement?—A. Oh, no; it was not. I regarded the whole circular, and regard it now, as a political canard gotten up for that purpose. I can see no other reason.

Q. Now, I understand one of these magistrates you did remove had been elected by the Democrats.—A. Presumably so. He was elected in a ward that had a large majority of Democrats.

Q. He also held the office of commissioner of accounts?—A. Yes, sir.

Q. That was the most important office in the county, wasn't it?—A. Yes, sir; and that was when the Democrats had control.

Q. How was the other one put in office?—A. The other one I appointed to office myself, to fill a vacancy. Capt. W. P. Robinson was a magistrate and resigned.

Q. How are these commissioners selected, by ballot or by appointment?—A. They are appointed by the court.

Q. All those twelve commissioners of council, I mean.—A. The council are elected by a vote of the people by ballot.

Q. All on one ticket?—A. No, sir. There are three wards, and there are three different tickets—three different voting places. Each ward elects four.

Q. This time there were four Democrats and eight Readjusters?—A. Yes; that's the way it was done.

Q. That is, there were four Democrats, four white Readjusters, and four colored men?—A. Yes, sir.

Q. Elected by the people?—A. Yes, sir.

Q. When were they elected?—A. They were elected in May, 1882.

Q. At a special election?—A. No, sir.

Q. I mean a charter election.—A. Yes, sir; a charter election.

Q. Not at the State election, but at what you call a village election, or city election?—A. Yes, sir.

Q. Now, I would like to ascertain from you what is the practice in voting there; do the colored and white people go together to vote?—A. Yes, sir; they have been in that habit.

Q. Or do they go in separate lines?—A. I believe they go there together, and I think they—I don't know how that is; I believe they have been going up pretty well together, letting in first one and then another as they come along. I am not sure of that, though. I know I have been voting there myself frequently, and have had to stand a long time before I could get in; but that was before the ward system was adopted.

Q. When you answered that you did not know of anything which would calculate to intimidate the colored people, did you mean to include in that answer the effect of this circular?—A. The effect of that circular upon the colored people? No, sir; because I had no idea the colored people knew anything about that circular.

Q. Assuming that they did know, that might possibly have deterred some of them?—A. I don't know.

Q. Would not that be its natural effect?—A. I don't know whether it would or not.

Q. You think the main object was to excite the white people?—A. That's my idea. I don't think that was intended to influence the colored people at all.

Q. Now, the last clause of this circular:

Help us, fellow-citizens, by voting for the Conservative Democratic candidates for the legislature, for *unless they are elected we are doomed*.

Is that a fair presentation of the condition of things?—A. No, sir.

Q. That is not?—A. No, sir. It is about as fair as most everything else in there, though.

By Mr. VANCE:

Q. What is the name of the man you removed from commissioner of accounts?—A. Walter H. Luck; I don't know his full middle name.

Q. There was another one removed?—A. A magistrate; his name, I am sorry to say, sir, was R. E. Lee.

Q. Who appointed him?—A. I did.

Q. You appointed him and you removed him?—A. I did. I appointed him and removed him. He was well recommended to me, but my appointing him was a great mistake. Within a week after I appointed him, I reckon, a dozen gentlemen in whom I had full confidence were kind enough to come to me and tell me he was not a proper man at all. I told them I wished they had come to me beforehand. And as soon as I could get rid of him I did.

By Mr. LAPHAM:

Q. How long was he in office?—A. I don't remember the time—a short time, though—a very few months.

By the CHAIRMAN :

Q. Was he recommended by either party or by both parties?—A. He was recommended by intelligent and honest men of both parties ; principally Democrats.

By Mr. VANCE :

Q. (handing the witness a map of Danville). Will you look at that and see if it is properly laid down?—A. Do you mean whether the lots are opposite each other?

By the CHAIRMAN :

Q. He wants to see whether the lots are properly named—whether the persons named are owning the houses.

By Mr. VANCE :

Q. Yes.—A. I see this map is correct in an instance that almost every witness that has spoken of it has been mistaken. They, all of them, locate Jones's drug store exactly opposite the Border saloon, which is not the case, as you will observe.

By the CHAIRMAN :

Q. You say that this is correct?—A. Yes, sir.

By Mr. VANCE :

Q. That purports to have been made by the city engineer of Danville. Are you acquainted with him?—A. Yes, sir ; he is a very skillful engineer, a man of a high order of intelligence ; an excellent man.

W. P. ROBINSON sworn and examined.

By the CHAIRMAN :

Question. Were you examined in the contest between Sims and Hurt?—Answer. I was partially examined. The examination was not concluded for want of time.

Q. Please state your age, residence, and occupation.—A. I am forty-one years old, and agent for a guano company in Baltimore.

Q. You reside in Danville?—A. Yes, sir.

Q. How long have you lived in Danville?—A. I have lived there about thirty years.

Q. Were you a soldier in the Confederate service?—A. I served through the war.

Q. Were you at any time a captain of a military company?—A. I was captain of the Danville Grays for a number of years—raised that company and organized it.

Q. Were you present at the meeting in front of the court-house addressed by Col. W. E. Sims?—A. Yes, sir ; I was present.

Q. Were you an officer of that meeting, or had you any particular part in it?—A. I had no part in the world.

Q. But you heard it all?—A. I heard the speech. I saw he was going to explain this Danville circular about Coalition rule.

Q. Had he a copy of that circular before him?—A. Yes, sir ; I think when he made the speech he held it in his hand.

Q. If you heard his speech I wish you would tell us about it.—A. He held in his hand what he called this Danville circular, said to have been addressed to the people of the valley of Southwest Virginia, and said that no copy of it had ever been seen in Danville ; had not been circulated there, and the copy that he had he obtained from Washington.

and that it contained forty lies, and he read it section by section and commented upon it, and he took up each section as he went on.

Q. You say it was directed to the valley or southwest part of Virginia?—A. Yes, sir.

Q. What was the character of the population of that region, white or black?—A. In the valley it was white—a large white population.

Q. A large majority white?—A. Yes, sir.

Q. What were the politics of that region of country?—A. It was Re-adjuster.

Q. Give now, as near as you can recollect, the course of his speech and what he said.—A. I could do it better if I had that circular.

Q. We will give you a copy of it [handing witness a copy of the circular].—A. Well, I think the first thing he took up was this, in regard to the town being divided into wards. The circular charged that the negroes voting at one precinct had been able to control the town and levy upon the treasury and get its offices, and he stated in regard to that that a petition of four hundred and eighty-five white persons had been signed and sent to W. T. Clark, who was the first signer of the circular, who was then a member of the council—the council at that time being Democratic—asking him to get the legislature to divide the town into three wards, and it was passed unanimously, as Sims said, by the council.

Q. It was recommended by the council?—A. Yes, sir.

Q. Then did he state what Clark did; whether Clark presented it to the legislature or what he did?—A. Well, it was divided into wards by Judge Aiken.

Q. It was not done by the legislature, then, but by the judge?—A. They had to pass the law.

Q. Who procured the enabling act of the legislature?—A. It was the council. Sims said W. T. Clark presented the petition to the council and they passed a resolution asking the legislature to divide it.

Q. That the legislature passed the enabling act upon the petition, did he say so?—A. Sims stated that it had been done by the resolution of the council offered by Clark, and it was done by Judge Aiken, who gave the whites one ward and the negroes two wards.

Q. The authority was granted by the legislature, and Judge Aiken, acting upon that law, divided it into three wards?—A. Yes, sir.

Q. Was that one of the lies?—A. That was one of the lies.

Q. What was the next one?—A. Then he went on to explain. The circular charged that there were four negroes on the police, and he went on to explain that there were only two negro policemen—that one was the town scavenger and one was clerk of the market, and I think he stated that one was superintendent of the poor-house, and that he had been superintendent of the poor-house under Democratic rule. I think he stated that.

Q. Who was the one who had been superintendent of the poor-house under Democratic rule, which one of the colored men?—A. It was one of the colored men; I think that Sims stated that in his speech, though I am not very certain.

Q. What further did he say? Did he say how many white men were in the council?—A. He went on to say that there were eight white men in the council and four negroes. If four could control eight they could control the council. The circular charged that—

The market, once occupied in all its stalls by polite white gentlemen, with their clean, white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves.

He denounced that as one of the lies.

Q. What do you say, you are a citizen there—what do you say, is that true or false?—A. I say it is false.

Q. What was the next?—A.:

The white men have been driven out and forced to take up private places for vending their meats and vegetables, and the public market, erected by the money of the white people and intended to be occupied by men at least courteous and cleanly, has been converted to the use of squalid negro hucksters, and presents a spectacle of loathsomeness positively repulsive to any person who has the least idea of how a market should be kept.

He denounced that as one of the lies and explained.

Q. What explanation did he give?—A. The explanation was that there were twelve stalls in the market, six of them were rented to white people and six to colored people. Well, that night I helped him to explain. I was present and was struck with this part of it, about the market; how absurd it was and how false it was, and I told him that there were twelve stands belonging to the corporation, and it was stated in this circular—he stated in this circular—they charged that the Readjusters had rented all the stalls to the negroes, and he said the people would think that they had rented, as they said, to the negroes, instead of to white men and driven white men from the market, but Mr. Arrington was there that night, who was chairman of the committee from the council, and he stated there that the stalls were rented at public auction by him, and that there had not been any change from Democratic rule; that the only exception—I have forgotten what exception it was, but I think that exception was that Daniel Dugger had had a vegetable stall and had given it up to somebody and taken a stall from John W. Holland on the other side.

Q. John W. Holland is a white man, and so is Dugger?—A. Yes, sir; and it was stated also that John W. Holland owned eleven stalls immediately opposite the market; nine of them he had rented out to negroes, or his agent had.

Q. Was Mr. Holland a Democrat?—A. Yes, sir; he signed this circular, and I suppose is a very strong Democrat.

Q. What do you say in regard to that statement?—A. I told Sims this and he said it in his speech. I knew the fact that these stalls were rented.

Q. You stated that to him and he repeated to the audience what you stated to him?—A. Yes, sir; and I knew that every white man had an opportunity to rent these stalls at auction. I knew they had then. There was no butcher in Danville, except upon the market in Danville, and that no one had been compelled to leave the market to take their meats elsewhere.

Q. What do you say as to that statement in the circular?—A. I say it is not true.

Q. And Mr. Sims stated the information you gave him?—A. Yes, sir; stated the information I gave him.

Q. What do you say it is now?—A. I say it is untrue. Stalls have been rented since the 1st day of January by the Democratic council, and three white men have been put off the market that were there under Readjuster rule.

Q. And colored men have taken their places?—A. Colored people have the stalls. The way it was, two butchers took two stalls apiece, and that only left two stalls, and I think at the time this circular was gotten up there were seven white butchers in the market, while at this

time there are only four. There are other butchers upon the market, but they rent private stalls.

Q. From the first of January the Democrats have had control, and you say they have changed the stalls.—A. The negroes have nearly all the stalls, and very few white men. A man named Young told me he could not get a stall, and a man named Halican told me he couldn't get a stall.

Q. So that there are more negroes than there were under Readjuster rule?—A. Yes, sir; and those white men had to pay rent for those stalls that they couldn't stand up to.

Q. Are not the white men all residents there familiar with these facts?—A. It seems to me they could have been familiar with them. I was familiar with them. I traded on the market; I had a family, and got meat there.

Q. You got your meats and supplies there?—A. Yes, sir.

Q. I will ask you whether these persons who signed this circular had not the opportunity to know whether these things were true or not?—

A. I will look and see [examining circular]. Nearly all of these men are men of families and I suppose they had every opportunity to know. I would go to the market and buy my meats, and pass through there every day.

Q. They had the same opportunity to know that you had?—A. Yes, sir.

Q. What was the next statement Mr. Sims characterized as a lie?—

A. He said, it says here, "White men have been driven out." He said the circular charged that the market was uncleanly and loathsome, &c., and that that was false. Well, I pass through the market every day, twice or three times a day sometimes, and it is as well kept and as cleanly as any market I ever saw, and I have visited the large markets in different cities. I know the clerk of the market has a large hose, and every night I see him with it after market hours, and he would always wash off the nice brick pavements and the rock-paved street. It was all kept as clean as could be.

Q. Have they running water there?—A. They have water-works.

Q. In this respect was it any better or worse than it was before, when the Democrats had control?—A. It was not certainly any inferior than the way it was kept under Democratic rule. It may have been better, I don't know.

Q. What was the next statement he denounced as a lie?—A.:

The whites of the town are powerless to prevent this outrage upon their rights. In fact, it is believed that their well-known objection to such an indignity is the principal cause of its infliction.

Q. That is, it was made indecent and filthy, &c., to disgust the whites?—A. Yes, sir; that I don't believe.

Q. Was that one of the lies?—A. Yes; he said that was one of the lies; he read it;

The council, which has the power of regulating the conduct of the market, is presided over by a carpet-bagger, J. B. Raulston, Mahone's collector of internal revenue for the Danville district, and the patronage of his Federal office enables him to control the council with the same undisputed power that the general does his party.

Q. Now, what about that?—A. I don't know what he said about that.

Q. What do you say about that?—A. I am like Judge Blackwell about that; I think, that if Raulston can, by his influence, control it—there are eight white men in the council, and some of them very independent men, and very hard to be influenced to do anything against the citizens there.

Q. If Raulston can control a great body that way, it is only an evidence of his superior skill and ability?—A. Yes; as regards his being a carpet-bagger, I don't believe that; but, I saw it stated in the Index-Appeal (a Democratic paper), that Raulston came to Petersburg eighteen years before that and lived there, voted the Democratic ticket, and was very popular there, and was in business there.

Q. What do these people mean by a carpet-bagger?—A. I think they mean, by a carpet-bagger, a man who lives in Northern State and comes down South to get an office.

Q. Don't they mean by carpet-bagger any man who does not vote the Democratic ticket?—A. Any man who goes down there I think to obtain an office from Republicans or Readjusters.

Q. Would he be called a carpet-bagger if he voted the Democratic ticket?—A. No, sir; if he had an office from the Democrats he would not be called a carpet-bagger.

Q. What is the next statement that Sims denounced?—A. Raulston married a lady in Danville, too:

Raulston is exceedingly offensive to the white people, and it is well known he takes no pains to carry out any of their wishes.

I don't know what Sims said about that.

Q. What do you say about that?—A. I never heard of it until I saw it in this circular, except in a political sense.

Q. I will ask you what acts of the common council were complained of by the Democrats of Danville; if any, do you know of any?—A. I don't think that any acts of the town council of Danville have been complained of with the exception that they appointed two negro policemen, and that they appointed a clerk of the market. They have done a great deal of good, in my opinion, by the laws they have passed there since they have been in power, and their acts have not been complained of that I know of; except the appointment of this clerk of the market and the sanitary policeman, and so on.

Q. Did politics enter into the ordinary administration of the council, do you know? Do you know of any political question which arose upon which there was a party division in the council, except as to the appointment of these two policemen?—A. I have heard it stated that Democrats voted for a part of those negroes—voted for all but one.

Q. Was it considered a gross wrong to the Democrats, that although the negroes were in the majority of the voting population of Danville, that they should have one-third of the policemen?—A. It was very repugnant to the Democratic party. Their idea, I think, was that the negro should not have any office.

Q. They turned these negroes out after they got possession of the council after this riot. Have they any negro policemen in Danville now?—A. No, sir.

Q. Then the majority is not represented on the police force at all?—A. No, sir.

Q. Then it was considered a very great hardship that the negroes should be represented by one-third of the policemen? Is there any other oppression or wrong committed upon the white people of Danville that they complain of?—A. No; I thought their action was very superior to the preceding Democratic council, at least the preceding Democratic council had always been elected by negroes since the war.

Q. Then the thing complained of was that the negroes were armed in any surveillance to protect live and property. Was that it?—A. I think they mean that the negro shall not hold office there. The Dan-

ville Times says it—I have seen it very often—and that is one of the representative papers there.

Q. Not even a policeman?—A. No kind of an office.

Q. Or scavenger, Is that the idea?—A. I think they were opposed to that.

Q. Or town clerk?—A. Any kind of an office.

Q. That was the grievance. Do you know of any act of Raulston's in the council that the people complained of, except the appointment of those policemen?—A. I don't know of any at all.

Q. Did you ever hear it as a matter of complaint, that Raulston controlled the negroes to the injury of the white people in Danville?—A. Well, I don't think I heard much talk about it. I think his being a revenue officer and being of course in the council, they would be apt to attribute it to him if they voted in a certain way.

Q. Was there anything done by the council that they complained of, that you know of?—A. Nothing but the appointment of these negro policemen.

Q. The white Democrats there are opposed to negroes and Federal office-holders. Is that the general subject?—A. That is my opinion.

Q. What is the next complaint in this circular that Sims arraigned?—A.:

The police court of the town is another scene of perpetual mockery and disgrace.

Q. What did Sims say to that?—A. Sims said it was untrue.

Q. How many persons compose the police court?—A. The police court was composed of the mayor of the town. The mayor of the town is a justice, and the president of the council is a justice, and acts now as a justice; had a right at that time to act.

Q. How many police justices besides?—A. There were three magistrates besides.

Q. That makes five, the mayor, president of the council, and three magistrates constitute the police court?—A. Yes, sir; and an ordinance of the town makes it the duty of the mayor to try all violations of the city laws.

Q. The municipal laws?—A. Yes, sir.

Q. He denounced this statement, that this court was a "mockery and a disgrace," as a lie?—A. Yes, sir; I knew of my own personal knowledge about this police court, because I was elected myself in my ward by a large majority, and a great many of them were white men, and elected without regard to politics, and I acted as a magistrate for a good while.

Q. You were a member of this police court?—A. Yes, sir; I was a member of the police court, but I resigned before this circular came out, so that this circular did not apply to me.

Q. When did you resign?—A. I resigned some seven or eight months, may be more than that, after I was elected.

Q. Who was elected to take your place?—A. Judge Blackwell appointed one of these magistrates that is complained of.

Q. The one that he promptly removed?—A. Yes, sir; he removed him as soon as he found out he would not answer.

Q. Then he appointed another?—A. Yes, sir.

Q. You served as a police magistrate, then, for how long?—A. It was very near a year, I reckon. It was some time; I don't know exactly; it was long enough to know the practice of the court there.

Q. Who were the other three justices when you were there?—A. Wal-

ter Luck and this colored man named Jones. This circular goes on to say:

There the most active justice is a young negro named Jones, who first became famous by seducing a girl under promise of marriage, and was only saved from conviction upon indictment by the evidence of his partner in a junk-shop, who swore that he had had criminal intercourse with her before Jones. This court which, before the negro *régime* came into power, was only open a few hours every morning, is now practically open from morning till night, and nothing but actual observation can convey the least idea of the travesty of its transactions.

Now, in regard to that, that is untrue, I am well acquainted with the court and proceedings before these magistrates were elected—before I was elected—and Mr. Mosely held open court all the time.

Q. He was your predecessor?—A. Yes, sir; under what they call Democratic rule, I reckon, but most of them were elected by negroes. That court was open. You could go there any time of the day and Mr. Mosely would try any kind of a case at any time.

Q. Don't your law require your magistrates always to be on duty at their office?—A. If they are wanted they have to issue a warrant when they are called upon. A man named D. P. Harvey, elected by the Democrats before these three magistrates were elected, held open court all the time, but this circular charges that the Readjusters held open court, and before that it was not so.

Q. You speak of Readjusters, they speak of "negro *régime*;" do they mean by that Readjuster?—A. I suppose they call the white Readjuster negro, because it was not under negro rule unless they do so.

Q. Was there a greater number of crimes committed while you were a justice than under the old *régime*?—A. No, sir; I don't believe there was.

Q. You say you did not increase the number of hours, and that there was no necessity for it?—A. No, sir; for these magistrates held open court all day, and the Readjusters did not do any more than try the cases brought before them during the day.

Q. What do you say about these allegations, then?—A. I say it is false. In regard to this negro mentioned, I stated in my deposition there that I never heard any complaint of him in trying cases. He understood the law very well, and seemed to be a very well educated negro, and wrote a very beautiful hand. I have seen him try white cases, and white men preferred to have him try them to this magistrate, Luck.

Q. There were two white magistrates and one negro?—A. Yes, sir.

Q. And Jones, the negro man, was an intelligent, skillful man, and a good writer?—A. Yes, sir. He wrote a first-rate hand, and, I think, he understood law very well.

Q. Did you ever hear any Democrats complain because you had one negro magistrate there out of the three?—A. Yes, sir; they complained all the time about a negro being a magistrate.

Q. On the ground that a negro ought not to be a magistrate?—A. Yes, sir.

Q. Then, their idea of justice was to have white men always?—A. They didn't believe in negroes being officers; I know that.

Q. Well, the next clause.—A. Yes, about making them pay the costs; both parties made to pay costs. That is the law there. If they are found guilty, both have to pay the cost; so that is untrue.

Q. Both parties paying the costs—don't that mean plaintiff and defendant? Can you divide the costs? It says here, "More than one party, the cost is doubled." Where they are tried jointly, there are dou-

ble costs, and you can require the defendant to pay costs; is that true?—
A. No, sir; they don't make the defendant pay the costs all the time.

Q. But where the defendants are found guilty they have to pay costs?—A. Yes, sir.

Q.

Malice and partiality, whenever there is a motive, and ignorance, in its absence, are the rules of decision.

Is that so?—A. That is entirely false; I never heard of it before I saw it in this circular.

Q.

The officials of the court, justices, and policemen. co-operate in the work to make fees, and every act, or word, or deed of the citizen, whether atrocious in its character or too frivolous for the law to take notice of, is brought before a justice, and the party, if not fined, is required to pay the costs; and if there is more than one party the cost is doubled, and both parties made to pay costs.

Was that so?—A. I don't know anything about that.

Q. Where the charges were frivolous were prosecutions made merely to make costs?—A. Not that I know of. Men might have gotten out warrants when they were frivolous; the violations of the law were frivolous, but the magistrates had to try them and acquit them or convict them.

Q. But these are the charges that Sims denounced as false?—A. Yes, sir.

Q. What is the next charge to which you wish to call our attention?—A. The next charge—

At the October court of this year two of the party magistrates were removed from office by the judge of the hustings court, one for embezzling the money of the commonwealth, the other for "causes sufficient to the court," and one of them has fled the town to avoid indictment.

That statement is true to the best of my knowledge and belief. One of these magistrates though, that fall, came out in one or two articles in the paper before the election protesting that he was a Democrat.

Q. Well, hadn't he been previously a Democrat?—A. Either one or, I think, two articles.

Q. What was the name of the magistrate?—A. That was Robert E. Lee I am speaking about; Luck was a Readjuster.

Q. Luck was a Readjuster and Lee was a Democrat?—A. Judge Blackwell appointed him. I don't know what he was.

Q. You say you saw a card from Lee announcing that he was a Democrat?—A. Yes, I am pretty certain I did, one or two.

Q. There is one charge before this I wish to call your attention to—

White men are arrested for the most frivolous acts by negro policemen and borne along to the mayor's office followed by swarms of jeering and hooting and mocking negroes, and tried, fined, and lectured and imprisoned by a *negro* justice, and then followed to the jail by the same insulting rabble.

How was that?—A. I don't believe that is true. I don't believe that a white man would submit to it.

Q. If a white man was arrested was he not usually taken before a white man?—A. I say some of them elected to be tried by this negro. I am pretty certain that sometimes white men were carried before the negro magistrate, but they had a right to elect a white magistrate and we always granted them that privilege.

By Mr. LAPHAM:

Q. If you issued a warrant for the arrest of a man, could he go before any other magistrate?—A. Certainly he could.

By the CHAIRMAN :

Q. The warrant could be returned by the constable before any arrest, then ?—A. Yes, sir.

Q. (Handing witness a paper.) Is that the card of Lee ?
The witness read the paper as follows :

DANVILLE, VA., October 30, 1883.

To the Public :

I desire to say that notwithstanding I have been heretofore classed with the Readjuster party (which charge I do not deny) I am a white man and shall in the future act with the Democratic party in all elections, as I consider the question of Readjustment settled.

Respectfully,

R. E. LEE.

That's the card I refer to.

Q. That's after he had been removed from office by the judge ?—A. Yes, sir.

Q. The first Monday in October ?—A. Yes, sir ; the first Monday in October.

Q. He then joined the Democratic party ?—A. Yes, sir.

Q. What is the next charge here that Sims denounced as a lie ?—A. :

The notoriety which this state of things in our town has produced has attracted to the town large numbers of idle and filthy negroes from the border counties of North Carolina, and from Halifax, Mecklenburg, and Charlotte, Va. Although there is a law against vagrants, they are never disturbed. They infest the streets and sidewalks in squads, hover about public houses, and sleep on the door-steps of store-houses and the benches of the market place.

Well, I don't know what Sims said about that, I don't think he said anything about it.

Q. You spoke awhile ago about the colored man who was appointed clerk of the market. I will ask you whether he was not nominated by a Democratic member of the common council ?—A. I don't know the fact, but I have heard so.

Q. You don't know that except by hearsay ; what do you say that Sims said about that ?—A. I don't know what Sims said about that.

Q. What do you say about it ?—A. I don't believe that the negroes go there to become vagrants. I have not seen them, and there is a law against that ; they would be arrested by the police if it was found that they had no visible means of support ; I have seen them arrested for it.

Q. What is the next statement to which Sims called attention ?—A. About sleeping on the door steps of houses. I go about at all sorts of time of night and day, and have never seen it except occasionally in the summer time. I might happen to see one somehow.

Q. :

They impede the travel of ladies and gentlemen, very frequently forcing them from the sidewalk into the street.

Did that occur ? I will read the balance of it :

Negro women have been known to force ladies from the pavement, and remind them that they will "learn to step aside the next time." In several instances white children have been struck by grown negroes. We know of several cases where the lie has been given to a white lady to her face by a negro.

A. Well, he denounced that as a lie ; that the white people of Virginia would not submit to that state of things.

Q. Were they ever called upon to submit, that you know of, to such a state of things ?—A. Well, while I was a magistrate no one ever brought a case to my notice, and I never knew it to be brought to the

notice of the corporation court or any magistrate, but I never heard of it until I saw it in this circular, and I don't believe it.

Mr. VANCE. Is it evidence of a fact, asking a witness if he believes it?

The CHAIRMAN. No; I asked him about these magistrates. He has said several times he didn't believe such and such things were true.

Mr. LAPHAM. The witness is an intelligent witness, and I want to have his knowledge. If he was a magistrate I can ask him if complaints were made.

Q. I will ask you if while you were a magistrate complaints of this kind were made before you?—A. No one ever made any, and I never heard of any before I saw this circular.

Q. Don't you know, from the general feeling in Virginia, that if a gross insult of this kind was made the negro would be killed on the spot?—A. The negro would be killed as quick as a man could draw a pistol, and most every man carries a pistol there, too.

Q. Would there have been any difficulty in punishing a man for an assault of this kind?—A. No; there is not a magistrate that would not punish him to the extent of the law. I know that this negro magistrate was much more severe to negroes than any I ever saw, much severer than I ever was.

Q. And if this thing had been brought to the attention of your associates you think you would have known it?—A. I think so.

Q.:

It is a very common practice for the negroes who are employed about our houses to allude to white ladies and gentlemen as *men* and *women*, and to negroes as *ladies* and *gentlemen*.

A. Well, I have employed negroes all the time and they don't speak to me that way, or to my wife that way. I heard negro children and negro women on the street probably allude to them as "men" and "women," or something of that sort, but they would not be talking to the parties—would say it to each other.

Q. Talking about men and women?—A. Yes, sir.

Q. Well, those Anglo-Saxon words are not forbidden, are they? It is not an offense to call a man a man, and a woman a woman?—A. I think not. I am not the least afraid of the negro men insulting me.

Q. Here is an allegation about the murder of a respectable gentleman by three negro highwaymen, was there such an offense as that?—A. Yes, sir. There were three negroes who waylaid a white man and killed him for his money three miles, I think, from Danville. I know the place well, the very place he was killed. They were carried to Pittsylvania jail, tried and convicted, and hung very quick.

Q. Then justice was swift and prompt to punish them?—A. Yes. In fact it was all done and accomplished in less than a month.

Q. When that was done was there not a mob collected with a view to hanging them?—A. That was common report.

Q. You don't know about it?—A. No, sir; common report.

Q. It is sufficient to say that they were at once arrested and executed according to law?—A. Yes, sir.

Q. Have not negroes always been punished for crimes more than when committed by white men?—A. I don't know of any negroes that have not been punished when it was necessary.

Q. They have been promptly punished?—A. Yes, sir.

Q. What have you to say to the last paragraph on this page:

A few nights ago the negroes were very indignant because they heard of the earnest work that was going on by the whites, to register all of their voting strength, and

called a meeting, which was addressed by an incendiary negro, named Pleasants, a postal agent, and one of the town councilmen, hired at the custom-house, and they passed a resolution requesting the governor to have Federal troops sent to our town on election day, to intimidate the white people at the polls.

Do you know of any movement made by the colored people to prevent white people from registering to vote?—A. Oh, that is all humbug—the negroes trying to keep the white people from the polls, or registering.

Q. Could that have occurred there without your knowing it?—A. Well, I belong to that party, but I didn't go to any meeting at all, and I should think I should have probably heard of it. This negro Pleasants was making an incendiary speech. I considered him always a very moderate negro. He is a very smart negro, and makes about as good a speech as most white people.

Q. Did you hear Pleasants's speech?—A. I have heard him make a speech before a Democratic meeting of which I was chairman.

Q. Was he a Democrat?—A. This was called the ward meeting, and I was struck with his speech that night, and I could repeat what he said, a portion of it.

Q. Did he make an incendiary speech?—A. No, sir; just the other way, a very moderate speech. It was the only meeting that the negroes ever attended that the white people called, that I recollect.

Q. And he made a good speech?—A. Yes, sir; and we nominated a ticket together.

Q. Now I will ask you whether the colored people are not as a rule quiet and submissive generally, much more deferential than white men usually are?—A. Certainly they are. There are bad negroes, and some of them will curse white people.

Q. Some of them will lie and cheat like others?—A. Yes, sir.

Q. I suppose you find some such people as that among the whites too?—A. Yes, sir.

Q. In respect to being peaceable and quiet, how are they compared with the whites?—A. I think as a race they are peaceable toward the white people. They quarrel among themselves a good deal. This [referring to circular] about Jacksonville, I never heard of that.

Q. There is an allegation here made that the North Carolina tobaccoists would not come to Danville because of what they call negro rule. Now, state what you know in connection with that statement.—A. Well, I have very good opportunities to know in regard to that charge. I was selling guano all through North Carolina by subagents and also in person there in Danville, and I talked with a great many farmers, and I don't believe that through the country where I was classed as a Readjuster, (I never was a Readjuster, but acted with that party; I was always in favor of paying the debt), and I asked a great many parties that live 6 miles, 10 miles, and 12 miles from Danville why they did not bring their tobacco to Danville, and they told me that Durham was paying more for the tobacco.

Q. Durham is a town in North Carolina?—A. Yes, sir; and it is not further from a good many that did not bring tobacco and to a great many it is closer than Danville. It is their own town and State, and one of these parties informed me, I could give his name (W. H. Graves, sheriff of Tazewell County), that the people in his country, that is 13 miles from Danville, were carrying tobacco to Durham because they got more for it; that it was the general impression that Danville would steal their tobacco if it was not for the little town of Durham that advanced the price.

Q. That is, they took it for what it was worth?—A. But they were

prejudiced against Danville, and it would be some time before they would bring it there again, and that was the reason they would not bring it to Danville. He gave that as a reason; and I talked with a man named T. J. Taylor, from Hamilton, who stated that the reason he carried tobacco to Durham was because he could get a better price. He would send me checks from farmers, and he never said anything about negro Coalition rule, or Readjuster, or anything of that sort. And W. T. Brown, who lived in Alamance County. His people used to bring a great deal of tobacco to Danville; and I received a good many letters from him saying he was getting good prices in Durham. It was my opinion that there was very little tobacco brought to Danville from Alamance County, and I believed the cause of it was it was a very sorry crop, that was destroyed almost entirely by the frost, and they went to Durham because they got more for it, and I am satisfied they did get more for it. But Danville that year, by the published report of the Tobacco Association which I saw in the paper, if I am not mighty mistaken, stated that Danville had sold 5,000,000 pounds more tobacco that year than it ever had.

Q. That the business of Danville was largely increased. You believe that the reason you give was why some of the North Carolina people would not bring their tobacco to Danville?—A. I do. The farmers—I never heard any of them say anything about negro policemen or negro rule.

Q. I will ask you whether there was any feeling among the Coalition voters, or any portion of them, as to their safety in voting at the last election, as far as you could learn.—A. I was appointed a judge of election after that riot and I declined to act. I knew something then of the feelings of the whites, what they told me, and I knew my own feelings about it.

Q. Well, did you decline?—A. Yes, sir; I told Judge Blackwell the evening before that he had better appoint somebody in my place.

Q. State your reasons for not acting as a judge.—A. One of the reasons was that I saw by the Danville papers and by the Richmond papers that the bitterness and excitement was so great against any white man who belonged to that party that it would not suit me to act. I might get in a difficulty and kill or be killed, and on November 5, the eve of the election, I read a piece in the Danville Register, a communication, I think it was, in which it went on to say, among other things, that if any disturbance occurred at the polls that day, or something of that sort—I cannot recollect the exact words; I suppose the paper can be had—if any disturbance occurred on that day, they hoped that no innocent man would suffer, but that the blood of the leaders should be shed—something of that sort.

Q. And you were looked upon as somewhat of a leader?—A. I was looked upon as somewhat of a leader. I don't know why. I never wanted any office and don't want any. I resigned the one I had, but they said there that I was the only man that ever did resign.

Q. You resigned as a magistrate; you had your own business to attend to?—A. Yes, sir; and I didn't want to act as a magistrate.

Q. As I understand you, you felt if you were there a difficulty would occur and you would be in it?—A. I had a personal difficulty.

Q. I wish you would state any violence committed on you or threatened to you at any time previously on account of politics or your connection with politics.—A. All I have done in regard to politics was I would discuss the issues of political questions with different parties, but I soon found out that would not do; I would not get mad with any-

body ; I had no feeling in regard to it at all, but I was liable to get into difficulty about it, and I had finally to stop ; so when—I think it was before the Readjuster party came out—I took a stand with a party of men who called themselves “ward men” in the town of Danville, and we met and nominated a ticket, and on that ticket we put all Democrats, except three negroes, and these three negroes came to that meeting ; we invited them, and this William H. Pleasants, who is spoken of in the circular as making an incendiary speech, rose and made a speech, and said he was glad the people had come together for once ; he assured the people that he recognized the fact that they owned the property, that they had the most intelligence and most interest in the community, and he assured them that the colored people did not want to rule that town, that the laws recognized their equality, and that they only asked to have a small representation upon the council. I was made chairman of that meeting ; there were a good many white people there ; I think probably more than half, and I appointed a committee ; they went out and made nominations, and the Democrats, some who were not ward men, were put upon that ticket and the balance were ward men, but all Democrats ; there was no division then ; there was no Readjuster party then in existence that I know of ; it had not extended there, and I recollect one of the signers of that circular was a Democrat and was put upon that ticket and was elected, and this negro told us on behalf of his party that if we would give them three members of the council they would give us the other nine ; they would give us every other officer in the town, mayor, commonwealth attorney, clerk of the court, and collector, and everything else.

Q. But they wanted three members of the council ?—A. Yes, sir ; and I thought that was very fair of them. I thought they ought to have representation, and I was willing to do all that that meeting agreed to do.

Mr. VANCE. I am just as willing to spend the time this way as any other, but I cannot see what that has to do with this investigation.

The CHAIRMAN. I only want to show the state of hostile feeling.

Mr. VANCE. It seems like he is describing a love feast.

A. Well, this ticket was put in the field, and we carried the ticket, with the exception of those three colored men, I think, and I went to the polls and voted for those three colored men because I knew it was my duty ; that I had made a promise, but some white men must have gone back upon it. As soon as I got back from the polls from voting I was grossly insulted by a prominent Democrat, who lives on the same street I do, and his brother-in-law drew to strike me at the same time that he did, but I got rather the best of them. They made nothing out of it. I was prepared for them and they made nothing out of that.

By the CHAIRMAN :

Q. That was an evidence of prejudice against the colored people ?—A. Yes ; they denounced me for voting for these negroes.

Q. How long ago was that ?—A. That was, I reckon, four years ago.

Q. I will ask you whether immediately preceding the recent election there was any bitterness or personal feeling among Democrats of Danville and vicinity against the members of the Coalition party ?—A. I was standing in front of my store door one Saturday night talking to a member of the police force——

A. When was this ?—A. That was just before this election, and this policeman that I am talking about, had been a Readjuster, and told me so, but he came out in the paper saying that he was a white man and a Democrat.

Q. Was that this same Lee?—A. No, sir; a policeman; he was talking to me about it and I was asking him about it; if he did come out in the paper; if it was him. A man named F. B. Gravely, who was a next door neighbor of mine, came right by at the time; he could not hear; I know he did not hear a word we said. He remarked to me, he says, "That gentleman's position is the true one." I says, "Yes, it is." He says, "Any man that votes the Readjuster ticket I have no respect for him; any man that votes the Readjuster ticket is a dog." I remarked to him then that he was a past master Mason and I could not strike him. He said, "You are a dog" and struck at me; he struck at me and I resented it.

Q. You had blows, had you?—A. Yes, sir; he struck at me and I knocked him down two or three times, and the police kept him from being hurt.

Q. I asked you generally, without going into particulars, whether there was a state of great excitement and bitterness among the Democrats against Coalition leaders?—A. I never had an idea that it ever could get to that pitch; that was the worst I ever saw in any civilized country.

Q. Did that feeling extend to breaking off personal relations, social and friendly ties?—A. At one time just before the election I was just a private in the ranks, I just took this position from principle I wanted no office. I could live without doing anything and I saw that they were so terrible bitter that I was afraid that I would have to move away from there, and my wife begged me ever since to do it; that was just before the election and immediately afterwards; I thought at one time that there was a great many people that quit speaking to me, but since that time I don't notice now but few that don't speak.

Q. Did you attend a meeting at the opera-house that day, 3d of November? Where were you on the 3d of November?—A. Yes, sir, I attended three or four Democratic meetings.

Q. Where were you on the 3d of November?—A. I was about 50 miles from Danville, on the road. Sycamore station. I came back that night at 8 o'clock.

Q. You say you did attend some Democratic meetings during that canvass?—A. Yes, sir.

Q. What was the condition of affairs in Danville when you arrived on the night of the 3d of November at 8 o'clock?—A. I had heard of this riot at Pittsylvania Court-House, and when I got to Danville I knew there was danger to myself, but I never did stand back for danger. I went to a barber shop, got shaved, and thought it would be said that we were shirking or skulking, and so I went all over town almost and saw the infantry troops, or men armed, and saw them with horses and guns, &c., and I went down towards the depot where a good many colored people rented from me, to see what the state of affairs was down there. It occurred to me that that was the most foolish thing that I ever saw people do in my life, a crowd to patrol that town, when I was satisfied that these negroes were the worst broken up, they were the worst demoralized, broken up, completely crushed; that they had no more idea of raising their arms to do anything against white people—

Q. The white people that had done all the firing were the persons who were armed?—A. Yes, sir.

Q. Had you been subjected to any insults or assaults since that time that you attribute to your political action?—A. I had several; just before that they were right bitter against me, but they were right particular about insulting me.

Q. Have they ever shot at you, or insulted you in any way?—A. Oh,

yes; I pay very little attention to it. I was shot at. I was building a fish pond at Danville, and on my way back down I rode with a colored man who was working on the house (they are building a house there), and we separated, and I came on one way to town and he the other way, and before we were separated more than a hundred yards, I believe, I passed a man walking rapidly within about ten or fifteen steps of me. He says, "How are you," or something of that sort, and I did not say anything. Just as I had gone about ten steps I heard a shot. Well, I do not know whether he shot at me or not. I never could hear a pistol ball pass anyhow; I am a little deaf; but that sort of made me feel in danger, and I walked rapidly. I thought he may shoot at me. I knew how times were, and I met right opposite Peter Gould's house a white man there, and I got within about 50 feet of his back door, and I heard somebody say, "Oh, God damn you," and I turned to look and saw this man take aim at me and fire. I drew a pistol then and ran after him, and he run. He was on top of a hill, and as he fired he ran.

Q. When was this?—A. I don't recollect the date, but it has been since that election. There were two colored boys who were standing right close by that saw it, and I asked one of them what their names were, and he said Ben and Ned——

Mr. VANCE. Well, never mind.

WITNESS. Jackson.

By the CHAIRMAN:

Q. Have you ever heard any person at Danville or thereabouts talk about or say they wished every negro and Readjuster in town had been killed?—A. Yes, sir; I heard a man say that one day.

Q. When was that?—A. It was, I think, one or two days after the election.

Q. Was that mere vamping, or was it aimed at you to insult you, or what was the purpose?—A. No, I do not think this man had any intention of insulting me, because he knew better; but that's a small matter. I hear any time such expressions as that from people. I was on the train a few days ago with a gentleman from Danville, and was talking about Sims, and he said that he was the cause of this difficulty, and ought to have been mobbed. He was a deacon in the church there, and I told him I did not believe in mob law, and he immediately says: "He ought to have been murdered; he ought to have been killed." That is what he said.

Q. I forgot to ask you one question about the Sims matter that I overlooked.

By Mr. VANCE:

Q. Let's have that man's name?—A. Stephen E. Adams.

By the CHAIRMAN:

Q. How did Sims speak of the signers of this paper, that they had signed a false statement, or were individually liars? How did he speak of them?—A. He said that they were "damn scoundrels and damn liars."

Q. Those who signed this paper?—A. Yes, sir; I suppose this man, Stephen E. Adams, might be brought here to prove this; and if the Senator wants to know what else he said I would say it but I dislike to. He said in regard to other gentlemen being killed——

Mr. VANCE. I did not ask you anything about him at all, I just asked his name.

By the CHAIRMAN:

Q. Sims said that these men were liars, &c., because they signed this paper, but did he say anything about them except because they signed this paper?—A. He said a number of Democrats, reading each section—he said they were damn liars and damn scoundrels, and called them by name.

Q. Called them by name?—A. Yes, sir.

Q. You think they were falsehoods?—A. Well, I said in my deposition that they were not true. I do not think these men knew that they were not true, because there are men on there that I have liked all my life. I considered it a political document. I do not think they would say on oath that it was true.

Q. You believe they regarded it as a political canard with a view to frighten the white voters in Western Virginia?—A. Yes, sir; some of them never read it when they signed it.

Q. Did you ever see the resolutions adopted by the Democratic meeting on the 3d of November?

Mr. VANCE. I have a copy of those resolutions, if you wish.

The CHAIRMAN. Well, I would like to have them put in evidence; you may as well do it now.

Q. This speech of Sims's was, you say, violent. He denounced these men as scoundrels and liars. Was it any more violent than Democratic speeches? You say you heard Democratic speeches made that year?—A. A good many violent speeches made by Democrats, but I never heard them single out anybody by name and call them damn liars.

Q. In that respect it was different?—A. Yes, sir.

Q. What was the usual mode of speaking of Coalitionists and negroes? Did they class them with negroes?—A. Yes, sir; they seemed to think they were in favor of miscegenation, and putting negroes in office all over the State, and I know they had no such idea.

Q. In other words, they made the race issue wherever they could, I suppose?—A. Yes, sir.

By Mr. VANCE:

Q. I will ask you only a few questions. You heard Mr. Sims in his speech take these men, man by man, and denounce them as liars and scoundrels?—A. Yes, sir.

Q. With a prefix which you need not repeat?—A. Yes, sir.

Q. Do you know most of these men [handing witness the circular]?—A. (After examining the circular.) Yes, I believe I know all of them.

Q. Do you recognize any of them as being entitled to that appellation?—A. No, sir; I do not.

Q. Well, when Mr. Sims affirmed that of them he did not affirm the truth, did he?—A. No, sir; I said at the time that he ought not to have called them damn scoundrels.

Q. A good many of them are old men, are they not?—A. Yes, sir; very nice gentlemen I always considered them.

Q. Good citizens; good business men?—A. Good citizens; good business men, all of them.

Q. Well, times were pretty hot, and I reckon both sides exceeded what they thought proper when they got through.—A. No, sir; I do not think—I have an idea that the Democrats were about ten times as bitter as the Republicans or Readjusters ever had been.

Q. I did not ask you which was the bitterest, but I asked you if both sides did not exceed what was right after reflecting over it?—A. Sims was the only man that I knew that over stepped the bounds, the others

were moderate. I had nothing against any man on account of politics, and have not now.

Q. Well, I will not go over this circular with you. You made one statement I want to ask you about. You thought that the Coalition rule—the laws and regulations of the Coalitionists when they had control of the city, was superior to that of the Democrats previously?—A. Yes; I thought they did a little better than the Democrats did.

Q. Well, the test of the excellency of the rule of a party within the corporate limits of a State or county is the result isn't it?—A. Yes, sir.

Q. Did you ever know of this rioting or bloodshed while the Democrats were in power?—A. No, sir.

Q. Had nothing of that sort?—A. We did have. Well, the town has been governed, you may say, by the negro vote, even since the war, but they elected Democrats.

Q. Well, they elected Democratic agents to control the town?—A. Yes, sir.

Q. I suppose you mean that the colored people have had a majority all the time?—A. Yes, sir; had the majority all the time.

Q. On the day of election did you go to the polls?—A. No, sir; I did not.

Q. You did not vote?—A. No, sir; I did not vote.

Q. Well, I presume you did not vote because you were afraid to go to the polls?—A. I was not afraid, but I knew there was extreme danger.

Q. Well, you did not shrink from that danger?—A. I never shrink from danger. No, sir.

Q. What influenced you not to vote?—A. Well, these pieces I saw in the paper; what I had seen in different papers in regard to it, and these difficulties and bitterness: and I knew it was very easy for me to get into a difficulty, and I never did take an insult without resenting it, and people had begged—near friends of mine, my wife, begged—me not to vote, and another thing influenced me was this, that I knew a great many colored people who were away and could not vote that day; they had left town. I knew of instances, and heard of a good many others, and I talked with the colored people and did not advise any of them not to vote. I soon found out that they were afraid to vote, and I thought it was best not to have anything to do with it. If I had thought that my vote would do any good I would not have regarded danger; I would have gone and voted if I had been killed.

Q. I will ask you if you did not hear some of your party leaders—if it was not discussed, was not understood, that by refraining from voting at all the election in that county could be set aside?—A. We had a meeting at Danville—the Coalition judges did—but there was no combination of action at all in regard to it. There was one Republican judge who did not give any reason; he said at once that he could not act. There was another judge who is postmaster there; he said he could not act—never gave any reason. Well, this Republican never gave any reason, but the postmaster—I think his reason was that he could not leave his wife; I think that was the reason, although I am not certain. His wife was sick and he could not leave her.

Q. Now, was the policy of refraining from voting, and having the election of that county thrown out, discussed among you?—A. It might have been, but that is a point I do not recollect. I know that that did not cause all the judges not to act.

Q. That did not decide your conduct?—A. No, sir; because—

Q. But you think it might have been discussed?—A. I think all of them had decided before they met.

Q. Were not the preparations made to preserve the peace on the day of election sufficient to reassure all that wanted to vote?—A. I saw all those papers, but did not regard it as reassuring, because the men who had been charged with being in the riot were upon the police.

Q. But there was a military company from Richmond, was there not, sent by the governor?—A. Well, that did not reassure them, because it was generally understood that they were all Democrats. The only things that would reassure them were the blue jackets, some call them United States troops.

Q. Do you mean to say you had no confidence in the law-abiding character of any man there?—A. No, sir, I do not; I would not say that.

Q. Don't you think there were Democrats there, in both companies, that would have done their duty fully and kept the peace?—A. They might have, I think, kept the peace, but might not have kept some from being killed.

Q. Well, you could not kill a man without committing a breach of the peace, could you?—A. No, sir.

Q. Was it not understood that a good many of the Richmond soldiers were Coalition men?—A. No, sir; I think not.

Q. Don't you know that, knowing their votes had to be lost, that before they left Richmond they selected an equal number of each party, so that the loss would be equal on each side?—A. I think they selected boys that could not vote; I noticed that the company seemed to be pretty nearly all boys except the officers.

Q. You spoke of being chairman of a Democratic meeting on one occasion, the first time you heard Pleasants make a speech.—A. Yes, sir.

Q. You were at one time a Democrat, then?—A. A Democrat all the time.

Q. Do you profess to be one yet?—A. I do not profess to be one now since the riot. I was a Democrat up to the riot and told everybody that I intended to vote for Colonel Cabell, but it didn't do any good because I did not go with them against the Readjusters.

Q. What party do you profess to belong to now?—A. Well, I have not exactly decided. I will await events.

Q. What particular events are you looking out for?—A. Well, I am awaiting the investigation and whether the Democrats will go for free trade or for protection. I am for protection.

Q. Well, I reckon all the people about the time of the riot wanted protection, didn't they?—A. I suppose so; I did not care anything about it.

Q. You said one time, rather broadly, as I thought, that everybody in Danville was armed, and you added almost———A. Almost everybody I see is armed.

Q. Were you armed for one?—A. Yes, sir; I have been shot there in Danville in my store, my arm broke, and I have been shot at since, and I was attacked on the street.

Q. The man who shot you in the store; was he a Democrat?—A. That was not about politics. I accused him of certain things.

Q. And he shot at you?—A. Yes, sir; and I went for him with a bowie knife.

Q. Does that statement that everybody was armed, almost, include any of the colored people?—A. I have seen colored people armed since the riot; I think there was a good many colored people armed since the riot. A colored man came to my house with a pistol right out where

everybody could see. I have seen numbers of them since that, but never saw it before the riot.

Q. Do you know that any were armed before the riot?—A. I never saw it.

Q. When you stated almost everybody was armed, did you mean that to apply before or after the riot?—A. I meant that almost every white man was armed; I did not know about the negroes. The negroes may have been armed, but I did not see it to that extent, but I saw a great many pistols about.

Q. What was the name of the colored man who came to you the other day with a pistol displayed?—A. Well, that might be used against him there. It was not concealed though. It was a negro named Sim Brandon.

Q. You have mentioned a good many white men here.—A. I haven't mentioned any names.

Q. What was the definition you gave Senator Sherman of a carpet-bagger?—A. I have always understood that a carpet-bagger was a man that came from the North to the South and went into politics on the Republican side, and expected or desired an office, and did not come to go to work and go into business.

Q. Did come as a *bona fide* citizen?—A. Yes, sir; or did not come as a *bona fide* citizen.

Q. Well, that is a very good definition. That term of reproach is not applied as a general thing to people who come down and buy property and settle in the South, is it?—A. I think when persons oppose the Democratic party they are bitter against them anyway.

Q. Don't care where he comes from, or what he comes for, or what amount of capital he brings with him, nor where he settles?—A. I have had relations in New York. One of them wanted to come down there to be a physician. I told him if he would come as a Democrat he could get along first rate, but could not say if he came down as a Republican and took part in politics.

Q. When there were so few offices, not enough to go around, do you blame the Democrats for not wanting anybody to come in?—A. I am for the Union. I am for peace and harmony and everybody carrying out the Constitution, and all its amendments. I am for every man having representation in the Government.

Q. I will ask you in all seriousness if you do not know many Republicans who are doing business, and voting, and exercising their principles freely, and who are welcome among our people?—A. I speak of Danville, and I do not think a man in Danville voting the Republican ticket is thought a great deal of.

Q. Do you know Mr. James Wood?—A. Yes, sir; I know him pretty well.

Q. Is he a Republican?—A. I could not call him a Republican.

Q. What should you call him?—A. I should think he was a Democrat now.

Q. How long since he was a Democrat? Wasn't he a Republican when he first came there?—A. Yes, sir; he was a Republican a long time, attended negro meetings, and was very much censured for it, and he is the most consistent Republican we ever had, and is one of the best men.

Q. How is he esteemed by the Democrats?—A. He is more thought of than any man that ever has settled there, but it is because he was such an excellent man and he is a Virginian, and he was a Republican up to a few years ago.

Q. Well, if he was a native Virginian, that is not the class of men I

am asking about?—A. Yes, he is a native Virginian. He was nominated for an office by the Democrats there.

Q. You say the colored people generally are very peaceable except among themselves; they quarrel among themselves?—A. Yes, sir; they fight a good deal among themselves.

Q. But they don't often have rows with the white people?—A. No negro was ever brought before me for fighting a white man; it very seldom occurred.

Q. You say Mr. Sims denounced that portion of the circular which alleged that ladies had been pushed off the street, and white children struck, and ladies called liars, by grown negro women, &c.; that he denounced that as a lie?—A. Yes, sir.

Q. Although the circular professes to give instances which he did not see, he pronounced it a lie on general principles?—A. Yes, and I never heard of but one instance, and that was a man named Comb said a colored woman pushed his wife off the street; that is the only instance I ever heard of.

Q. You stood by and heard Mr. Sims's speech that night; I will ask you if it was not well calculated to inflame the white people of the city?—A. Well these parties that signed the circular I thought that some of them would attack him.

Q. Would it not inflame all their friends and relations?—A. I don't see why it should.

Q. You don't see why it should? Well, I did not expect that answer from a man of courage like I take you to be.—A. I will explain to you. Sims said he held himself personally responsible, and all he asked was that they should not shoot him in the back.

Q. That was an invitation to fight, was it not?—A. He knew that he had insulted them.

Q. And then the insulting intimation that they were capable of shooting him in the back, that made it still worse, didn't it?—A. I say their friends and relatives should not be insulted by this. They were well known in Danville; they were very wealthy men, and their character was above reproach. As to telling or swearing to a lie, it was impossible, and that is why I don't think their friends ought to have been inflamed by it, because I don't believe that Capt. W. T. Clark would tell a lie, and I don't think these parties on that circular would.

Q. You think from the very falsity of the statement it ought not to have inflamed anybody?—A. That is my idea exactly.

Q. Would not it be calculated to inflame them?—A. I read it and thought these business men had signed it without knowing what was in it.

Q. If you had the speech to make you would have made that apology for them?—A. I would have said that the report was a lie from beginning to end, but these people must not have read it, could not have known what was in it; that they signed it without knowing it.

Q. How long have you lived in Danville?—A. thirty years.

Q. Have you ever since colored people were given the right of suffrage known any violence or illegal means by the Democrats to prevent them from voting their sentiments up to this time?—A. I have never known any illegal means, I don't think.

Q. Have not known any?—A. No, sir.

Q. Well, that would include violence?—A. Yes, I have not known violence.

Q. In voting didn't they all go up, whites and blacks, every way; any way they could get up to the polls?—A. The whites went up one side

of the steps at the place where I voted, at the court-house; the whites went up one side in at the common door; first one goes in and then the other. Sometimes, though, one party will take possession of the polls to the exclusion of the other by crowding. I have known one time when two hundred negroes could not vote, but it was done by not having enough precincts; that was before this division was brought about.

By the CHAIRMAN:

Q. I will ask you if Sims denounced them for that particular act as liars and scoundrels; that they had signed what was false?—A. Only as to that act.

Q. As to that particular act; that they were liars and scoundrels; that they made a false accusation?—A. He knew they were good business men, and knew they were highly thought of in the community.

Q. Do you think his purpose was to single these men out and say they were liars? That they would lie in their business matters?—A. I do not think he meant that.

Q. He simply meant that they were liars and scoundrels so far as this political document was concerned?—A. This political document.

Q. I supposed that was it. I don't want to add either to the offense of Sims or these men, that he would not denounce a class of men as liars because they signed a political document. That is the way you understood it?—A. Yes, sir; the balance of them would pay no attention to it, knowing their character was beyond reproach, and no one would think anything of it and they would not attack him, but I thought probably two or three on there might attack him.

Q. I will ask you whether Sims at that time gave any incendiary advice to the colored people to do any act of violence?—A. No; he asked them, "Do you want to fight the white men," and every negro hollered out "No, no, no," and he advised them to go to the polls, and vote the whole ticket; he wanted to bring out the whole ticket.

Q. But he gave them no advice to resist?—A. No.

By Mr. VANCE:

Q. He did not make any explanation of that sort, though; that he only referred to this individual transaction?—A. No; he did not make that explanation; that he referred to it.

WASHINGTON, D. C., *February 25, 1884.*

The CHAIRMAN. Before examining any witnesses I wish to call attention to a paragraph I saw published in *The State*, a paper published in Richmond, Va., in which, speaking about the colored people, the following remark is made:

These congregate about the committee-room door daily, but Mr. Sherman is stringent in his orders to let no negroes in who cannot show a summons.

I wish simply to say what is well known to all of us, that no such discrimination has been made. We have admitted all witnesses without respect to color or condition, and as many more people coming first as would fill the sitting capacity of the room. The only orders, and they were made by the committee without dissent, were that we would not allow a greater number of outsiders here than the room would comfortably hold. We have made no discrimination on account of color against any one.

Mr. VANCE. That has been my understanding.

The CHAIRMAN. I wish to say that in justice to the committee.

Mr. VANCE. The room has been too full to be comfortable to me all the time.

The CHAIRMAN. The only purpose is, not to exclude any one, but simply to make it bearable to go on with the testimony.

Hon. J. S. WISE sworn and examined.

By the CHAIRMAN :

Question. Were you a candidate at the recent election?—Answer. Not at the recent election, but I was a State canvasser.

Q. For what party?—A. The Readjuster party.

Q. I wish you would state the political issues between the two parties, as you understood them, from your stand-point, in the recent campaign.—A. In order to understand the issues of the recent campaign it will be necessary for me to devote a very brief space to the two preceding campaigns.

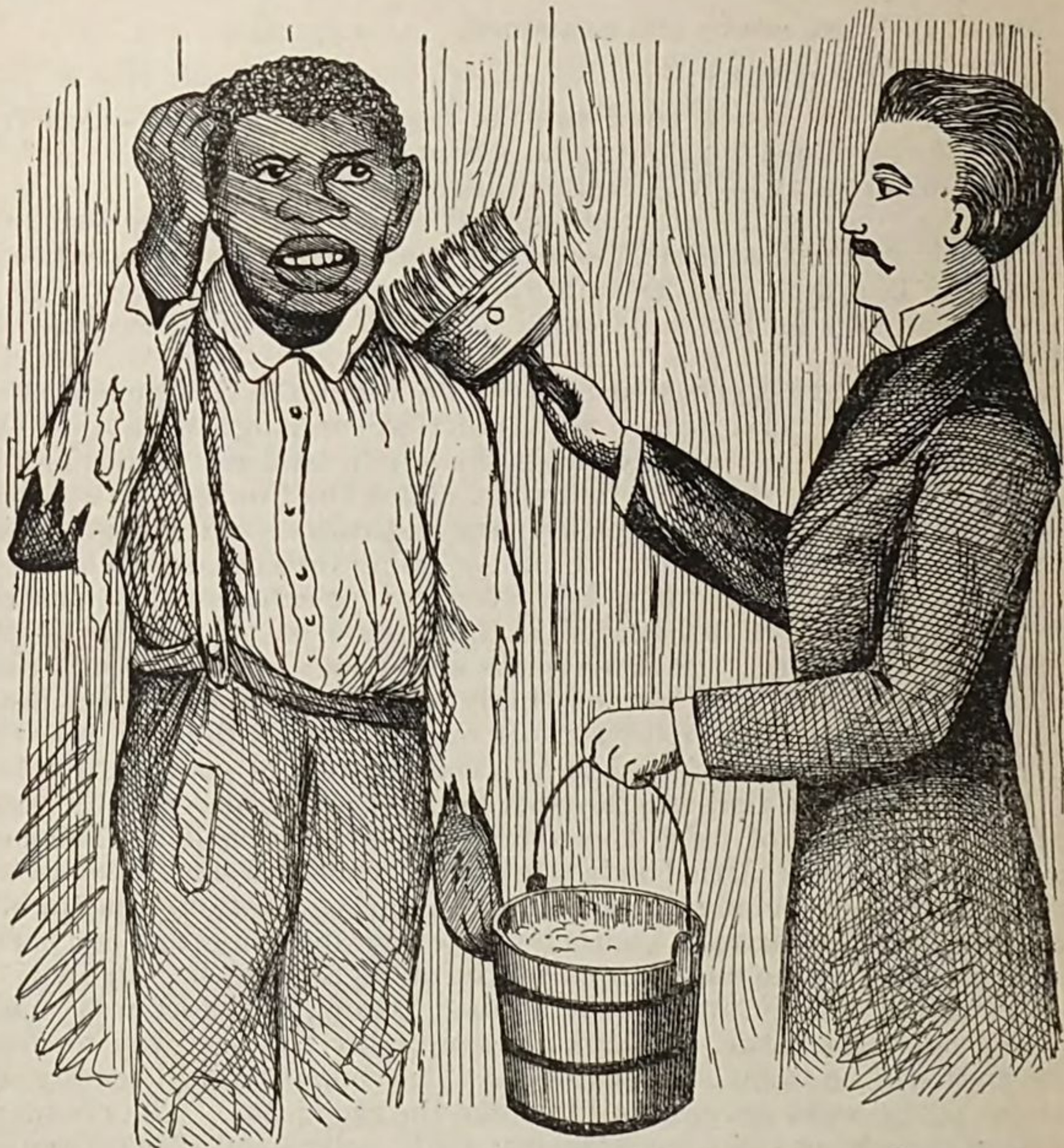
In 1881 the canvass occurred between Cameron, the Readjuster nominee, and Daniel. The proper issues of that campaign were upon the State debt question principally; upon the administration of State affairs by the party then in power at that time, called the Conservative party; upon the condition of the eleemosynary institutions of the State; and upon the subject of education. I am not going into the details of these controversies, but I assert herethat, even in that canvass, the Conservative party—which we designated as the Funder party, and frequently as the Bourbon party; the three terms are synonymous—I assert that the party continually and unremittingly sought to make the race issue an immediate issue of the canvass. It was contended that we were the negro party; we were referred to as a combination of poor white trash and the negroes, and that was the most familiar and apparently the most grateful description of us to the average Bourbon speaker. The canvass, even then, was carried on in a temper of violent assault upon every man who did not belong to the Bourbon party. Not only the public character, but the private character of every individual in our party was completely at the mercy, apparently, of its assailants. In 1881, in the canvass in which Cameron ran against Daniel, the effort was made to make this race issue. I think that probably the best way to illustrate that will be to file some exhibits. The committee will readily see that our party could never afford to make the race issue. The census of Virginia shows that there were 206,000 white voters and 128,000 blacks, and the man who would endeavor to make an issue between the races and expect to win on the black side would be an idiot. So, if we had no better motive than success, we would have been fools to have inaugurated a race issue; and therefore, on the one hand, we eternally and continually protested that there was no issue of race, while, on the other hand, the Bourbon party insisted upon it. As an illustration of the way they insisted, I file now with my testimony a cut from the Richmond State, published June 6, 1881.

Mr. VANCE. Mr. Chairman, I suppose you are aware how wide this opens the door of the investigation?

The CHAIRMAN. Yes; but it seems to me that, while it might be carried to some length, a statement on both sides of what they claim to be their respective issues would be desirable. As a matter of course, you can follow it with yours. It seems to me it is proper to give the state of feeling and subsequent contest of the parties, and I called Mr. Wise as the representative man of one party, and he can file his exhibits.

The WITNESS. I now file, as an illustration of the assiduous efforts of the Bourbons to make this a race issue, a cut from the Richmond State of June 6, 1881.

THE LATE CONVENTION OF WHITEWASH.



Just hold still, my man! A few more applications of this lovely whitewash, and the last remaining point of difference between us will be entirely removed.—*Whig*.

General Mahone may be said to have introduced the cause of the Readjuster party of Virginia into national politics, and in so doing he has openly allied himself with the Republicans of the North.—*New York Times*, June 4th.

The ticket is evidently made up with a view of securing Republican support.—*New York Tribune*.

I also file as a proof of that fact a circular which I picked up in the county of Carroll, which is a white county. You will see by the census that Carroll County has a very large white population, and that it has but 63 negro voters in it. The white population of Carroll County, according to the census, is 2,521 white voters and 63 black voters. Here is the method of the Democratic or Bourbon campaign in 1881. Here is a circular which I picked up there which was distributed by them even then.

PAUSE, VIRGINIAN!

READ BEFORE YOU VOTE.

Remember, if you vote the Cameron ticket this day—

1. You vote yourself and your State a repudiator.
2. You vote for mixed schools now and mixed marriages in the future.
3. You take the African side in Cameron's war on your own race.
4. You vote that maimed Confederate soldiers must be kicked out of office to make room for negroes.
5. You vote to perpetuate strife in Virginia.
6. You indorse Mahone's treason to the National Democracy last year, and to Virginia this year.
7. You endorse his destruction of more than six and a third millions of Virginia property.
8. You vote for Conkling and Dawes, who persecute Virginia against Bayard, who loves her, and Hampton, who fought for her.
9. You turn your back on the National Democracy and embrace your enemies.
10. You belie your vote of last November.
11. You indorse the infamous political record of John F. Lewis.
12. You vote against three as gallant Virginians as live.

If you vote the Daniel ticket this day—

1. You vote to end the debt question honorably, without adding a cent to your taxes.
2. You vote for peace between the races; but, if Cameron's war comes, you stand by your blood.
3. You vote against wearing Mahone's or any man's collar.
4. You vote to stand by your friends and against your enemies.
5. You vote on the side of every Democrat in the Union, in office or out of office.
6. You vote for separate schools and for the purity of your homes.
7. You vote against turning Virginia over to a repudiating Republican party.
8. You vote that maimed Confederates have still some rights in Virginia.
9. You vote to keep the judiciary out of politics.
10. You repudiate John F. Lewis and all who support him.
11. You stand by your principles for twelve years past, and by your year for Hancock.
12. You vote for three gallant Confederate soldiers and upright

I want that filed as an evidence that the Bourbon party as early as 1881 began this race issue.

By Mr. VANCE:

Q. Do you know of any authority that issued that circular? I don't think a mere anonymous circular ought to be put in evidence.—A. I know that it was distributed by Democratic authority throughout that county.

The CHAIRMAN (to witness). You had better when you introduce these papers as evidence of the opinion of the Democratic party state whether the papers are the recognized organs of the party.

The WITNESS. The State is a recognized organ of the Bourbon party, and that circular speaks for itself. It was distributed in the county. I am not sufficiently in their secrets to know who put it there.

I now desire to file as an evidence of what I say an extract from a speech of John W. Johnston, a Senator of the United States, delivered at Newbern, Va., September 5, 1881, in which he speaks of Mr. Cameron. Governor Cameron had used a sententious expression in regard to the charge that they were going to carry the war into Africa upon the debt question. He said, "They say they will carry the war into Africa; I propose in this canvass to carry Africa into the war." It always seemed to be a fixed purpose of the Bourbon party to endeavor to fix the race issue upon us. Governor Cameron repudiated indignantly any such

idea, but the newspapers insisted that that should be the issue. This is an extract from Mr. Johnston's speech, in which he said—

Mr. VANCE. I desire to enter my protest against this whole examination. I think it is out of all character as matter of investigation. Mr. Wise is proceeding in his speech in favor of his party, which I would like to hear at the proper place, but I don't think it is proper for an investigating committee concerning the matter at Danville.

Mr. LAPHAM. If this is designed to illustrate the condition of things last fall it seems to me it is proper.

The WITNESS. I propose to show that this Danville *emeute* was the immediate result of a long-continued effort of the Bourbon party to inflame the whites against the blacks, because they had despaired of meeting our party upon any other issue, and to do it by documentary evidence.

The CHAIRMAN. It seems to me that is proper.

The WITNESS. I file this extract from Senator Johnston's speech at Newbern:

When Mr. Cameron talks about carrying Africa into the war, does he wish or intend it to be understood that these things are to be changed, and he will try to have it done? That he wants to see a tender little Anglo-Saxon girl flanked on her bench at school on either side, by "African" youths? That a white woman shall be led to the marriage altar by a dusky groom? And that, finally, he wants the colored race to rule and dominate in Virginia and put their feet on the necks of the white man?

If he don't mean these things, he means nothing, and his declaration is a senseless and foolish threat.

Now, I also file, to show that our party repudiated any such purpose and intention, an extract from the speech of Senator John F. Lewis to the people of Virginia, our candidate for lieutenant-governor:

My fellow-citizens, I warn you to beware of these Funders, whose only hope lies in their ability to hoodwink you by introducing into this canvass side issues. They will talk to you about the danger of "NEGRO RULE," and when they do so ask them how such a thing is possible in Virginia when THE WHITE VOTERS ARE IN A MAJORITY OF OVER FIFTY THOUSAND, and have nearly all the property and all the advantages of a superior education. To admit the danger of "negro rule" under such circumstances is a palpable admission of the inferiority of the white race.

But I say, to the credit of the colored people, that their every action shows their determination not to make a race issue, as is particularly evidenced by the action of the Petersburg convention.

I also ask leave to file the editorial of the Norfolk Landmark upon this subject of the race issue.

By the CHAIRMAN:

Q. What kind of a paper is that?—A. It is a leading Bourbon journal.

THE ISSUE STATED.

[Norfolk Landmark.]

Colonel Cameron has a fine talent for phrase-making, and we doubt if any man in his party could have stated the real issue in this campaign in fewer words than he employed, when he said "I do not intend to carry the war into Africa, but Africa into the war."

Under this neat, epigrammatical phrase there lies a meaning the repulsiveness of which no glitter of words can abate or modify, for it means just this, Colonel Cameron and his party intend to lead the negroes, ignorant and unfit for self-government, in a "war" against the white debt-paying Democrats specially, and against all debt-payers in general.

Under this fine and compact expression we find "war" of the illiterate, non-tax-paying element of our population against the "white folks" proclaimed without re-

serve; and it is because of this that the negroes and people of color are anxious to follow just such a leader as now presents himself.

Seeing this, we ask the white Readjusters, the bone and sinew of the party, the men who are sincere in their convictions, and who do not hunt after office, we ask them what they are going to do and where they are going to march when Colonel Cameron "leads Africa into the war?" Will they stand shoulder to shoulder?

Now, I will not detain the committee with any further illustration of the issues sought to be raised in the campaign of 1881, but suffice it to say that the result of the election was that Mr. Cameron was elected by 13,000 majority nearly; not only elected, but elected by an immense white vote. I will illustrate the vote he received by the tables from the ninth Congressional district of Virginia. In that district the whole voting population was 28,385 whites and 4,391 blacks. In other words, out of 32,700 votes there was a white majority of 24,000. When the vote was announced from that district Cameron received 14,447 votes and Daniel received 7,478, Cameron's majority in the district being much larger than the whole black voting population of the district. Thus matters stood when Governor Cameron was elected. What his views were upon the subject of the blacks may be seen by his message to the general assembly. I think it is unnecessary to file it, but suffice it to say that he repudiated and scouted the idea of mixed schools. Then came the canvass for Congressman-at-Large. The election took place between Massey and myself, and again it was demonstrated that the Readjusters polled a large vote in the white districts of the State. In the election between Daniel and Cameron, Cameron had carried forty out of sixty of the old Democratic counties of the State, as appears by the following table. Of the ten counties which gave the ten leading old Democratic majorities eight had gone for Cameron and but two had gone for Daniel, and those were the only two counties of the ten that had a negro majority. On the other hand, out of the ten counties which had given John W. Daniel the ten largest majorities seven were old Know-Nothing counties; and it so happened that the four counties of Virginia which had given John W. Daniel his four largest majorities were the four counties of Virginia which in the election between Henry A. Wise and Flournoy had given the four largest Know-Nothing majorities.

Of the ten counties and cities giving the highest Democratic majorities in 1855 eight went for Cameron and two for Daniel, as follows:

		Majorities.		
		Wise.	Cameron.	Daniel.
1	Rockingham.....	2,090	496	.....
2	Shenandoah.....	1,846	389	.....
3	Page.....	961	257	.....
4	Tazewell.....	913	755	.....
5	Lee.....	736	573	.....
6	Halifax.....	576	.....	29
7	Madison.....	563	451	.....
8	Isle of Wight.....	496	.....	23
9	Greene.....	490	98	.....
10	Chesterfield.....	472	46	.....

And it shows that of the ten counties and cities giving the highest Know-Nothing majorities in 1855 seven went for Daniel and three for Cameron, as follows:

		Majorities.		
		Flournoy.	Daniel.	Cameron.
1	Loudoun.....	1,325	898	.....
2	Augusta and Staunton	1,090	1,027	.....
3	Richmond City	978	1,692	.....
4	Campbell and Lynchburg.....	556	1,627	.....
5	Alexandria City and county	421	186	.....
6	Norfolk City	370	.....	454
7	Westmoreland	312	.....	259
8	Nelson	304	137	.....
9	Bedford.....	261	551	.....
10	Henrico.....	216	.....	289

And it further shows that of the ten counties giving Cameron the highest majorities eight out of ten gave Democratic majorities in 1855, as follows:

		Majorities.		
		Cameron.	Wise.	Flournoy.
1	Mecklenburg	1,561	394	.....
2	Brunswick.....	1,362	332	.....
3	Nottoway.....	1,196	41	.....
4	Scott.....	1,011	288	.....
5	Nansemond	993	.....	216
6	Petersburg	986	36	.....
7	Prince Edward	972	72	.....
8	Norfolk County and Portsmouth	901	.....	195
9	Washington	760	336	.....
10	Tazewell.....	755	913	.....

And it shows that of the ten counties and cities giving the highest majorities for Daniel, six were Know-Nothing counties and four Democratic in 1855, as follows:

		Majorities.		
		Daniel.	Flournoy.	Wise.
1	Richmond City.....	1,692	978	.....
2	Campbell and Lynchburg.....	1,627	556	.....
3	Augusta and Staunton.....	1,027	1,090	.....
4	Amherst.....	907	.....	8
5	Loudoun.....	898	1,325	.....
6	Frederick and Winchester.....	738	.....	132
7	Fauquier	717	120	.....
8	Clarke.....	652	.....	41
9	Warren.....	647	.....	229
10	Accomac.....	617	116	.....

In the election between Massey and myself I furnished him, in answer to him, a table showing—

Q. Were you the candidate at large?—A. Yes, sir. In my contest with Massey I furnished him this tabulated statement:

Counties.	Voting population.		Vote.	
	White.	Black.	Wise.	Massey.
Bath.....	784	224	299	315
Buchanan	1,036	5	300	47
Carroll	2,521	63	754	856
Craig	791	40	39	165
Dickenson*.....			170	37
Floyd.....	2,421	224	668	653
Giles	1,586	235	409	438
Grayson	2,430	166	689	764
Greene.....	862	288	538	363
Highland	1,044	86	500	387
Lee.....	2,826	140	732	550
Madison	1,363	791	886	618
Montgomery.....	2,664	768	661	715
Page	1,973	224	969	644
Pulaski.....	1,425	489	554	582
Rockbridge.....	3,306	1,038	1,496	1,431
Rockingham.....	5,871	644	2,609	1,998
Russell	2,593	231	586	369
Scott.....	3,231	129	1,023	277
Shenandoah	4,019	226	1,608	1,308
Smyth	2,234	321	864	534
Tazewell.....	2,353	337	1,349	409
Wise	1,496	17	407	206
Wythe.....	2,512	565	887	502
Total	51,341	7,251	18,997	14,168

* The voting population of Dickenson is included in those of Wise and Buchanan, from which it was formed since census.

On a vote of 33,000 I got 18,997 votes to John E. Massey's 14,168. I called his attention, as I now do yours, to the fact that the foregoing twenty-four counties constitute one-fourth in number and considerably more than one-fourth in area of the State of Virginia; that one-fourth the white voting population reside within their limits, while only about one-seventeenth of the blacks reside therein; that the white vote therein is over seven times as great as the black, and that in a vote of 33,000 my majority over you is 5,000, and that my vote in those counties is about one-fifth my entire vote, and that these counties embrace five of the twelve counties in Virginia.

Now, we come, without dwelling longer on that, to the last campaign. I assert here under oath that time and time again representative Bourbons had stated in my presence that until they could draw the color line their party had no hope of defeating ours. I assert here, moreover, and file the evidence of a purpose to draw the color line. I will take, in the first place, an extract from the conservative address of 1881, in which it says, after discussing other issues:

Higher, in our judgment, than any other issue that can be presented to our people is the preservation of their civilization *and the maintenance of white supremacy* in their government.

By Mr. VANCE:

Q. Who are you quoting from?—A. I am quoting from the conservative address signed by A. Koiner, chairman, and countersigned by J. Bell Bigger, secretary. I then quote from the Richmond Dispatch of February 8, 1881:

The address is brief. It is elegantly and eloquently phrased. It accentuates the importance of keeping the government of Virginia in the hands of her real people, and deprecates any movement which could by possibility place the offices in the hands of ignorant negroes not qualified to exercise aright the privilege of voting, much less to tax the property of the whites and control the government of the commonwealth.

Now, after this the race issue somewhat subsided until May, 1883. At that time Governor Cameron, for reasons best known to himself, appointed two colored men upon the school board of Richmond. The public schools of Richmond are administered by nine trustees. The school population, if I state it correctly, is about 7,500 white children, and about 6,000 blacks. Hitherto and since the formation of the school system, the blacks had had no representation upon the school board. Governor Cameron, for reasons best known to himself, appointed two negroes; I know them both. The appointment was not an innovation. The official records show that three of his predecessors, Governor Walker, Governor Kemper, and Governor Holiday had, during their terms of office, appointed negro school trustees in various counties of the State, but his appointment of these two was seized upon as the pretext for inflaming this race issue, and without reading them or detaining the committee with them, leaving them to select such extracts as they see fit, I desire to file before this committee the comments of the Virginia press upon that occasion.

Mr. LAPHAM. Will you read some of the paragraphs illustrating their character?

The WITNESS. Yes; I will read from the Danville Times and the Halifax Record.

Destroy and trample these race issues.—*Halifax Record*.

There is no use talking that way—the Mahoneites band the negroes together to beat us, and we must unite the whites to meet them. Do that and we can always carry enough of the colored vote to elect our ticket.—*Danville Times*.

The white people would rather that negroes should teach negro schools; and, if it were possible, that negro trustees should be appointed for negro schools; but the white people of Virginia, representing the wealth and intelligence of the State, very reasonably and justly demand not only that the schools shall be under the control of those of the same race, but that every department of our Government shall be in the hands of white men, and those, too, who do not favor appointments such as Cameron made in Richmond. The fall election will prove this.—*Franklin (County) Gazette*.

The Richmond Dispatch will not tell us why it did not raise a row when Walker, Kemper, Holliday, and other Conservatives placed colored men on the school boards of Petersburg and elsewhere.—*Marion Patriot and Herald*.

The Richmond Dispatch has published Mr. Farr's letter, and that of his clerk, giving a history of all the appointments alluded to by the Herald. At the same time we made all the comment which we thought the point raised by Cameron's friends demanded of us. Gilbert C. Walker, William H. Ruffner, and James C. Taylor made the first of such appointments, and made them under peculiar circumstances. We are not at all afraid that the people of Virginia will be confused by the facts of the case.—*Richmond Dispatch*.

Negroes to control the schools to which your little children go. That is Mahoneism. Remember it, white people, when you come to vote.—*Lynchburg News*.

The Dispatch and State have lashed Cameron, Farr & Co. well for appointing negro trustees. That's right; cry aloud and spare not.—*Danville Times*.

Come, Governor Cameron, acknowledge your error, and, for the sake of your race if not your party, correct it. You can easily induce Paul to step down and out. The people of this city are in earnest in this matter. Ask the white members of your new school board.—*Richmond Dispatch*.

The New York World commends "Toeny" Cameron for appointing negro school trustees in Richmond, but such a sentiment does not commend the World to the favorable attention of the Democracy of Virginia.—*Franklin (County) Gazette*.

THE RACE QUESTION IN VIRGINIA.

There is no one who has a kindlier feeling for the colored people of Virginia than we have. No one in the State, unless he be a carpet-bagger or scalawag, can but help liking them and be willing to extend to them a helping hand whenever it is within their power. But no true friend of theirs will advise them to become the shuttlecock between two contending factions in this State. He who to-day would make the colored man a politician is an enemy to him. When such a net is weaved for him we feel sorry for the race.

But these traitors who have deserted the party and gone back upon the principles of the party now propose to shove forward the colored man in order to make him bear the brunt of their fight for plunder in the State. What care they for him if they get the lion's share, even if they let him have the offal?

As we have said, we feel sorry for the colored man; but they have no one to blame but their allies.

Cameron has placed two negroes upon the city school board of Richmond. They, as trustees, are to pass upon the conduct of the schools of the city, and the qualifications of its public school teachers. They are to say how the taxes raised in the metropolitan city of the State for free-school purposes are to be disposed of. In Danville there are colored policemen and magistrates; in Norfolk district colored men have been nominated for the county offices; in Albemarle a colored man was nominated for one of the clerkships; in Washington County there are put seven or eight colored men upon the committee by Fowler, Wood, &c. We know what this means. It is for the purpose of getting their votes. They care not as much at heart for the interests of the colored man as others do, but they wish to use him. What do the men we have mentioned, and others of the same stripe, care for him?

The question is, where is all this to lead to? If Mahone appoints two negroes in Richmond because of a failure of the trustees to qualify in thirty days, what will prevent him from appointing a negro in any school district in any county in the State? Under the recent decision of his court he can do it. If seven or eight negroes are put upon the committee of Washington County by Mahone & Co. because of their political strength, how long will it be before that strength will demand that it will be recognized in the shape of nominations for office and election to office?—*Abingdon Virginian*.

If the colored men choose to allow Mahone to wield their votes against the white men of the State, it is all right. The white men will know their duty, and that is to crush Mahone and Mahoneism to atoms. Unless this is done by the people of Virginia, you may bid farewell to the prosperity of our free schools, which have such a strong hold upon their affections. He who would indorse Mahone, Cameron, Blair, and Farr in their recent conduct is an enemy to the public-school system of our State and to popular education.—*Abingdon Virginian*.

It may be true that these appointments of blacks are the result of a pressure from this class of ignorant voters which the Coalition leaders cannot resist, and a vanity which they must, to retain their political power, cater to; but that very truth makes the situation all the more grave, and should operate to bind the intelligent white men of the State together in self-defense. It will not do to puff away the mixed-school specter as thin air; you must look at the progress of events. The blacks of Virginia of this generation, while not specially ambitious to qualify themselves to fill offices, are certainly developing an excellent appetite for them, and there is as strong a development of yielding to it by the Coalition leaders.—*Staunton Vindicator*.

And what will our honest white Readjusters say now when they see to what complexion Mahone and Mahoneism would bring them? Negroes appointed by Mahone-made Governor Cameron on the school board of the capital city of Virginia, and two negro candidates for public office in our own county! Is this the beginning of the end? Are our children to sit at the feet of black Gamaliels, who cannot spell their own names, in the public schools? Is justice to be meted out to white men by negro magistrates?

And yet all this is but a small part of what Mahoneism means.—*Orange Virginian*.

The Constitution guarantees to the colored man the right to vote, and no one de-bars him from this privilege. Self-preservation, the supremacy of peace and order of society, demand that the superior race shall see that the offices are filled and justice administered, not by ignorance and depravity, but by intelligence and respectability. The colored race throughout the State, from the results of recent elections, have commenced to realize this fact for their own interest and protection.—*Clarksville Virginian*.

How Mahone's penny-whistles dodge the question of indorsing the appointment of the two negroes on the Richmond school board is truly pitiable.—*Fredericksburg Star*.

The people won't let the candidates for the legislature dodge the question when these ask for their votes next fall.—*Richmond Dispatch*.

"You bet."—*Fredericksburg Star*.

Oh, how the Coalitionists love the public schools, which, they say, the Democrats were trying to strangle! So well do they love them that they go among the negroes to select their trustees.

Consider, honest Readjusters, what a combination for evil are ignorance and vice—fitly typified in the negroes and Mahone!—*Orange Virginian*.

THE SPIRIT OF THE STATE PRESS—"CAPTAIN" PAUL.

As respects the two mulattoes the governor has placed over the white children of our public schools, it is believed that Forrester, who was once elected to the council from Jackson ward by negro votes, will not presume to push himself forward or become obnoxious by officiousness. He is a modest colored man, and one who knows his place. While in the council we have never heard of his acting in any other than a deferential manner towards the white members and officers, to whom he always gave proper recognition as his superiors. And although the insult and indignity intended by Cameron, Blair, and Farr to be put upon the white people of Richmond, and through them upon all the white people of Virginia, is none the less flagrant on this account, yet it is some gratification to know that one of the instruments they have selected may not prove so pliant in their hands as they desire. But the other fellow, "Captain" Paul, is of an entirely different breed. He is a very impudent and forward negro, who pushes himself everywhere, and who by his officiousness and persistent demand for recognition has rendered himself very offensive and annoying, though not daring to put his nose in where he would be apt to get it damaged. We have been informed by those who know that when he was first appointed messenger in attendance on the governor, he answered readily to the name of "Paul," or "John," or "Richard," or whatever his name might be, for really we don't know; but it was not long before he "began to stand upon his dignity," and when addressed after that manner declined to respond, telling those requiring his services that he was "Captain Paul, and he desired everybody in future to address him by his proper title and treat him with the deference due his rank as an officer of the Virginia military organization and his position as aid to the governor."

In this little episode we have set before us the real character of the negro who has been placed at the head of our school board; at the head we say, for the resolution he introduced at the first meeting and the impudent sarcasms he indulged in at the time, coupled with his lofty and patronizing air of granting a favor to our people, plainly showed that he fully understood the weight of his position, knew his power and its source, and felt every inch "the boss of that concern," as he undoubtedly is and was intended to be by those who appointed him. The only wonder is that the white members of the board should tolerate such insolence.—*State*.

THE WORLD AND THE NEGRO.

The New York World only gets deeper in the mire of its profound ignorance of matters in Virginia and the South in its efforts to extricate itself from the blind plunge it made last week when it assumed the self-appointed office of censor in our political and social affairs, and undertook to applaud Governor Cameron for his liberality in appointing negroes as trustees over our white schools and white school teachers. The surprise with which our people read the first article of the new editor of the World was reflected in an article in our columns the next day. Taking this as its text in its issue of Saturday, and vaunting its self-importance as a representative of the opinion of the world at large, it insists upon its right to criticise the methods of the Democracy of Virginia in dealing with the negro problem, and thereby but increases the enormity of its offense. Our opinion of Pulitzer's unwarranted meddlesomeness was freely given Saturday, and when it has replied to that we shall be in a better mood to take on hand its new assault. But, once for all, we will warn the World that the negro question here is not one to be settled according to the views of the people of the section it represents, but is entirely with the South itself, which, wearing the shoe, knows exactly "where it pinches." The editor of the World may have no objection to the negro and may look upon him as his equal, regardless of color; and he has a perfect right to do so; but here in Virginia we have never and never will place the white race on the same level with the negro, save in matters of

common humanity. Socially and politically we do not admit his equality, but insist upon his inferiority and the superiority of the white race.

As to "hating the negro," or being prejudiced against him in the South, Mr. Pulitzer is altogether mistaken. We do not hate him nor have we any prejudices against him. We only demand that he shall keep his place and not intrude where he does not belong; that he remain where nature intended him to remain, and fulfil the purpose of his creation. This is all, and this is the logic of the situation that the North must recognize and govern itself by if it would have peace between the two great sections of our common country. [Remainder of article illegible.]—*Richmond State*.

No one knows better than General Mahone that the negro can find equality only in the negro's fatherland, and that he can rise to the full dignity of manhood there only after the habits of servitude die with the man whose second nature is servile. The negro may imagine he is a free man here, but in verity he is the obedient servant of the white man, who flatters his vanity. The Moses of Ham has not yet risen. When he appears he will be of the negro race, and his objective point Africa.

Frauds like Mahone do incalculable hurt to the peace and material welfare of communities peopled with superior and inferior races by encouraging hopes in the one race never to be realized, and arousing prejudices in the other that will not down at the bidding or law of charlatans; and the sooner the negro cuts loose from self-seekers and learns once for all that this is the white man's country, and that he will rule it, the better for all concerned.—*Warrenton Virginian*.

There is a good deal of silly talk by the Mahone papers about the "right of the negro to hold office." Pray who, since the negroes were made citizens, has ever said that they have not the right to hold office? They have quite as much right in that respect as the whites. These papers, in common with the South-hating journals of the North, profess to consider it a gross violation of the Constitution because a negro is never elected to office when the whites can possibly prevent it. This sort of talk is absolutely ridiculous. If negroes were put in offices, not because of their qualifications, but simply *because they were negroes*, it would be quite as contrary to the Constitution as if they were defeated for that reason. They have a perfect right to hold any office to which they *can be elected*.—*Culpeper Exponent*.

The proposition already under discussion by papers of the State for the maintenance of entirely separate school systems for the whites and blacks, each race to support its respective system, in all probability will bring Sambo to a realization of who his real friends are in this political squabble. He must either be content to retain his just subordinate position or pay for his own school. The white people of the State will never agree for an inferior race, in most cases a non-tax-paying class, to manage the intellectual welfare of their children.—*Blacksburg Times*.

Mahoneism claims to be the friend of free schools, and at the same time strikes a vital blow at the efficacy of the system by putting it in charge of negro partisans. Mahoneism claims to be the friend and upholder of the poor man, and yet they make it necessary that he alone shall send his children to schools under the supervision and management of negroes and unclean, unscrupulous, and ignorant partisans. Mahoneism claims to be the promoter of the negroes, while in truth they deceive him in his ignorance, and cause hostility between the white and colored race, which must end in nothing but destruction and degradation to him.—*Blacksburg Times*.

Mahoneism may vaunt as much as it chooses, but Cameron's dusky school trustees in Richmond will hardly strengthen the cause in the fall campaign.—*Manassas Gazette*.

Destroy and trample these race issues.—*Halifax Record*.

There is no use talking that way. The Mahoneites band the negroes together to beat us, and we must unite the whites to meet them. Do that, and we can always carry enough of the colored vote to elect our ticket.—*Danville Times*.

Governor Cameron isn't in the least degree sorry that he insulted the people of Virginia by appointing two negroes upon the school board of Richmond. Oh, no! Not he. But then watch him closely and you will not soon hear that he has appointed any more negroes to supervise the work of white people.

We know well enough how even the white Coalitionists must look upon this matter. Governor Cameron knows also. The Coalition candidates for the legislature will tell the story next fall.

Governor Cameron constantly receives letters from his party friends all over the State. Let him publish one from some candidate for popular favor who approves his course in this matter.—*Richmond Dispatch*.

ADVICE TO THE SCHOOL BOARD.

Some men like to hold an office, no matter how they get into it, whether with or without the approbation of their fellow-citizens, hence the school board for this city, though they came into office in opposition to the wishes of the legally constituted authorities of the city, and also in opposition to a large majority of the people of the city, accepted their appointments and are performing the duties of school trustees. If they would only consider the facts as they should, that they were not appointed because of any superior ability to the old board, but simply because it was thought they could be used to carry out a purpose; that they were not appointed by the people of this city or its representatives, the council, but by a body foreign to the city; that the people who pay the bulk of the money contributed to the support of the schools have no representatives on the board, a proper feeling of self-respect would prompt them to resign.

There is another view to take of the matter. The authority to control the appointment of school trustees is vested by law in the city council, and the State board can appoint only when the council fails to act within a certain time. The council of Portsmouth did not fail to act within the sixty days because of any want of interest in the schools, but because it did not have its attention called to the law on the subject; hence when the State board took advantage of a quibble in the law and appointed a board which was selected on account of their political views, the council could not but regard the act of the State board as a usurpation of their rights and its appointees as a hostile body, hence there cannot be true harmony between the two bodies, and as such a state of affairs is not conducive to the good of the schools, we suggest that the members of the school board resign. It would be more proper for them than the council to resign, because the council was elected by the people as their representatives, but the school trustees represent only three men, Cameron, Blair, and Farr, none of whom have any interests in Portsmouth. The members of the school board say they desire to act for the good of the schools. They have now an opportunity to prove the sincerity of their declarations by resigning. Nothing that they could do would be of more benefit to the schools.

Any system which will cram an official down the throats of a community against the will of a majority of its people will not be productive of much good. The people possess the inalienable right to select their own officials.—*Portsmouth Enterprise*.

By the CHAIRMAN:

Q. Let me ask you, in passing, was the objection made to those two colored men an objection to the race or an objection to the persons?—

A. Objection to the race.

Q. What kind of men were they? You say Mr. Paul was one.—A. I have known Richard Forester since the time I was ten years old. He was a free man in the days of slavery, and a more thoroughly gentlemanly man does not live in the broad limits of the United States to-day in everything of kindness, good feeling, and affectionate respect for everybody, white and black. Paul I don't know so well personally, but he is, I think, unusually intelligent, and qualified to be a trustee. As you see from these editorials, the gist of it was that they were blacks, and that it was an outrage upon the white people of that city that their white daughters and white children should be subjected to the supervision of a negro.

Now the canvass came on for the election of a legislature.

Q. That is last fall?—A. Yes, sir; last fall. The Bourbon party had now begun calling itself the Democratic party. It was formerly called the Conservative party. It has lately taken on the name of Democracy. When it met, a large element, as will be seen by the Richmond Dispatch here, of those in attendance, was in favor of incorporating the color line in its written platform. There had been a letter published by Mr. A. M. Keiley, the chairman of the executive committee of the Bourbon party, in which he had said that he regarded the negro question higher than the debt question or any other. Here is the letter, dated the 16th of February, 1883. It may be taken as a fair specimen of their senti-

ments. It was addressed to the editor of the Scott County Banner. He spoke of the long and unsuccessful fight over the debt question, and then said :

There are other things even more valuable to me personally than the rights of creditors. I do not own a State bond, and never owned one. But if I owned thousands I would regard my interest in the supremacy of the white people vastly more valuable than my interest in the public securities.—*Extract of Keiley's letter.*

The Conservative address which convened them spoke of a malign influence, which had drawn the color line, and appealed to them to rally upon it when they met. When they met in Lynchburg the 25th of July, the Richmond Dispatch discussed what would be done, and says:

Before another issue of the Dispatch reaches the public the Lynchburg convention will in all probability have finished its work. * * * The only matter of difference, developed by a canvass of the delegations, is regarding the advisability of drawing the color line. The Richmond delegation remain practically unanimous in the opinion that it should be drawn, and are, it will be seen, sustained by some of the strongest men in the party. * * *—*Richmond Dispatch, July 25, 1883.*

They then went on and adopted resolutions in which they stated they were opposed to mixing the whites and blacks in schools. Our party was as much opposed to that as they were, but they, as usual, sought to leave a contrary impression.

The temporary chairman, Mr. Corbin Rennolds, said on taking his seat:

Gentlemen of the convention, you have been selected by the white people of all Virginia to represent them, &c.

The convention did not draw the color line in the written platform. I believe that Woltz and Beckley, two straight-out Republicans, I saw in Lynchburg, came up and induced them not to incorporate the color line into their written platform, so as to give them (Woltz and Buckley) an opportunity to persuade the blacks to vote the Bourbon ticket. The Dispatch, in commenting upon it, on the 27th of July, said :

It leaves no room for any Virginian who believes in the supremacy of the white race, and the rule of honesty and intelligence, to entertain a doubt as to his duty.

And the Dispatch's correspondent, in describing the feeling about the platform, said, "Colonel Fulkerson, who was a strong color-line man, said this morning that he liked it very well" notwithstanding it had not drawn it. Then they went into the canvass, and from that time out I have the notes of my discussions with their speakers. I assert that on every stump the deliberate purpose was displayed to draw the color line. It was not with the purpose of intimidating the blacks; it was for the purpose of rendering the coalition party so odious to the ignorant whites as to band them together. This is evidenced by this circular, which is addressed to the people of the valley in the southwest. The manifest purpose of the campaign throughout was to array the whites against the blacks, and to make it so odious to the whites, that they dare not go into it. A campaign document called "The Democratic Campaign" was started in the city of Lynchburg. If the files of that paper were here I would not have to make any other statement. From the day it was published to the day of the election, it was filled not only with all sorts of scurrilous denunciation of every member of our party, which was sufficient to make every man who had not made up his mind not to fight a duel embroil himself with its editor, but every paper contained cuts of the negro and the white man arm in arm, and of the negro and the

white mixed in schools. As the canvass went on such documents as this were distributed:



It came from a gentleman in the county of Tazewell, which is a white county. If you will turn to Tazewell County you will see that the voting population there is, whites, 2,253, and blacks, 337. Documents like that were used to inflame and excite the whites. This represents a little white child being whipped by a black school teacher. It was represented to the blacks, for example, that I was a son of the man who hung John Brown. I do not think it had a very powerful effect, as I was elected by 101,000, of which I should say nearly 60,000 were blacks, while a black man ran and in the whole State he never received but about 4,000 votes.

But I charge here that the Democratic, or Conservative, or Bourbon, or Funder party, or whatever it is, deliberately, continuously, unremittingly, in Virginia, sought to make the race issue and to band the whites in solid phalanx, and in support of that I file the Danville papers I have here in this book, and have culled them for the purpose of showing the animus of that neighborhood; the editorials of the Danville papers—the Pittsylvania Tribune, the Danville Register, and the Danville Times.

By Mr. LAPHAM:

Q. All Democratic papers?—A. All Democratic papers. I will give you a specimen of my greeting in Danville. I wish to state in this connection, and it is a time when a man may be pardoned for vanity, that the records of Accomack County are among the few that have been preserved, and there will be seen the fact that the first man of my name came to this country from Gravesend, England, on the 4th day of July, 1636, and that they have lived in that State until now; that my great-grandfather was major of the Ninth Virginia Regiment at Brandywine, and was promoted to colonel and general for gallantry at the hands of George Washington himself; that my grandfather was one of the first speakers of the house of representatives of Virginia; that my father was a member of Congress for eleven years, minister of the United

States to Brazil, governor, and general in the army; that I fought for Virginia and was wounded in battle before I was of military age; and yet this is the greeting in the town of Danville that I received on the morning I reached there. It was but yesterday that I had appeared as the orator at the unveiling of a Confederate monument, when I received a tribute as handsome as man could receive. In the intervening space if I had said or done aught to reflect upon my manhood or my love of my State or her people, I did not know it. In the mean time I was raising a family there, and that I expect to reside there as long as I live, and I am yet to see the man who has cast any aspersion upon my manhood or character, or permanent interest in that community; and yet this is the reception that a man who dared to differ with the Danville Bourbonism received when he went to Danville. It appeared on the morning I was to speak there:

LET THEM ALONE.

The white men of Danville owe it to themselves, their race, and party to stay away from the Radical gatherings and speakings of the Mahone party. The speakers whom Mahone sends among us come solely for the purpose of arousing the negro voters and banding them solidly against the white men of our town. They come to organize in our midst negro rule, with all the direful consequences of such rule to the interest of whites and blacks alike; and they deserve and should receive the condemnation of every good citizen. Let them understand by the absence of every white man from their assemblies that no true Virginian will countenance them in their unholy work; that when they deliberately desert the whites and join the negroes they must speak to their party friends alone; and shame will soon drive them away from their black allies. Remember that these men come to speak to the negroes and let them have their audience, which they have chosen for themselves.—*Danville Register*, September 27.

WHAT WE EXPECT.

"Do you think you will change any of the white Coalitionists by your course?" a weak-kneed friend inquired of the editor of this paper.

"Oh, no," we replied; "they are all either in office, or think they stand some chance to get in, and nothing can change them."

"Don't you think you will make them worse by your editorials?"

"Certainly."

"Then, what do you expect?"

"We expect to keep others from following their example. The devil himself is made worse, in all probability, by the preachers abusing him so."—*The Danville Times*, Friday, August 17, 1883.

ITS CONSEQUENCES.

Not every one considers the consequences that are wrapped up in this election. Let the Democrats carry this county and State this fall, and we will right our town next spring. The State, too, will then be safe for the Democratic ticket in the Presidential election of 1884. But if we lose our county and State in November the Mahoneites will run riot worse than ever, and the chances of freeing ourselves from their dominion through the ballot-box will be smaller than ever. What is more, the State, in that event, will be turned over by Mahone to the Republican candidate for President in 1884, and may decide the national contest.

There is a great deal at stake, and if we lose the white people of Virginia will be thrown back where they were in the dark days of the Black Crook convention, when Hunnicut and Lewis Lindsey and Specs Hodges held sway and lorded it over the good people of the commonwealth.

Let every Democrat be brought out.—*Register*, September 13.

[Scrap-book No. 2, page 15.—*Danville Register*, September 26, 1883.]

Usual advertisement of Tyack & Doe.

Immense stock of cooking and heating stoves at Tyack & Doe's.

[*Danville Register*, November 2, 1883.]

New advertisement of Tyack & Doe.

Tyack, Doe & Co., dealers in hardware, stoves, shot-guns, and pistols, tin and wooden ware, and housekeeping goods, &c.

[Page 16.—Danville Register, October 24, 1883.]

J. E. Schofield, Danville, Va., keeps constantly on hand a complete stock of hardware, stoves, breech and muzzle loading shot-guns, plows, axes, hoes, &c.

[Page 16, Danville Times, December 7, 1883.]

J. H. Valentine & Bro., new store, and first advertisement.

GUNS. GUNS. PISTOLS. PISTOLS.

Deanana, Pieper, Parker, Daly, Colt, Remington, and other celebrated makes of Breech-loading Guns, Breech-loading Rifles, Double and Single Barrel Muzzle Loaders.

Smith & Wesson's Double-action Pistols, all sizes.
Standard and other Pistols; Cartridges, Powder, &c.

[Page 20, Danville Register, November 6, 1883.]

A part of General Early's resolutions, passed at Lynchburg November 5, 1883.

Resolved, That we heartily sympathize with our fellow-citizens of Danville in their struggle against the domination of the negro race, under the lead of renegade white men, whose hearts are blacker than the skins of their unfortunate dupes, and we assure our said fellow-citizens of the white race, not only of our sympathy with them in their present struggle, but of our material and physical support whenever that becomes necessary.

Resolved, That Virginia is, and of right ought to be, a white man's country and ruled by white men, and we are determined that our mother State shall not be ruled by thieves, liars, and cowards with white faces by the aid of their allies, the colored people.

[Page 27, Danville Register, September 27, 1883.]

The white men of Danville owe it to themselves, their race, and party to stay away from the Radical gatherings and speakings of the Mahone party.

Let them understand by the absence of every white man from their assemblies that no true Virginian will countenance them in their unholy work; that when they deliberately desert the whites and join the negroes they must speak to their party friends alone, and shame will soon drive them away from their black allies.

Remember that these men come to speak to the negroes, and let them have their audiences, which they have chosen for themselves.

[Page 34, Danville Times of March 9, 1883.]

It will not be long before you will see the Coalitionists advocating the repeal of the law forbidding the intermarriage of the two races.

They will say, Why should not a white man marry an African if he wants to? And they will insist on arguing with you on a question you have instinctive horror of. If the Mahone party had succeeded in all their measures in the legislature and were to elect the county officers, the time is near at hand when a negro will attempt to escort a white man's daughter from church, and should the white man knock him down he will be fined and imprisoned. And things would get so intolerable under their rule that the whites would rise up against it, as they did in Vicksburg.

It is time for all men who have firm convictions to speak out.

If you want to protect your wives and daughters and keep off bloodshed you must stand up like men for your race and your civilization.

Everything will "look like Africa."

A black boy will wait on the ladies at the different post-offices. A black boy will search the records for you in the clerk's office. Your bench of magistrates will be "half and half." Your commonwealth's attorney may be a negro, and a negro will surely visit your houses collecting your taxes.

The white man who cannot see it, is blind, insensible, lost to the feelings he used to have, of superiority over the African race, and, like one who has swallowed an overdose of laudanum, needs shaking up. If there be any such men in your neighborhood, friend, rouse him from his lethargy; tell him the enemy are advancing and ask him if he is not in favor of meeting them."

[Page 39.]

A card.

DANVILLE, VA., October 23, 1883.

I wish to inform the people of Danville that I am a white man and a Democrat and I am not a new convert. I have been a Democrat all the time and I have never pretended to be anything else but a Democrat.

W. A. COOK,
A Policeman.

[Page 40, Danville Register, October 13, 1883.]

There was a large turn out at the meeting of the Democratic club of the second ward last night, president R. C. Herndon in the chair.

A capital speech was made by Dr. T. W. Keen, which excited much enthusiasm. The doctor, who has been canvassing through the county, said in the course of his remarks that our Democratic friends in the country manifest increased interest and exhibit a stronger feeling about the canvass since they have learned how the white people of Danville are working to carry the election. The right spirit is abroad.

[Page 41, Danville Register, October 22, 1883.]

We talked this morning with a gentleman who had just returned from the northern part of Pittsylvania, and he reported the Democratic canvass there as in first-rate shape. The whites are almost solid, and more united and determined than they have been for many years.

[Page 41, Danville Register, October 18, 1883.]

The white people of Danville now see how they can control this town, and take the taxing of their own property into their own hands. This thing they are going to do.

[Page 42, Danville Register, October 10, 1883.]

Are there any white men in this town who propose to vote against their color? If so, we would like to know what they think of the above. We imagine it is just as mean for a white man to vote against his color as it is for a negro.

[Danville Register, October 30, 1883.]

To the public:

I desire to say that, notwithstanding I have been heretofore classed with the Readjuster party (which charge I do not deny), I am a white man, and shall in the future act with the Democratic party in all elections, as I consider the question of readjustment settled.

Respectfully,

R. E. LEE.

[Page 42, Danville Register, October 5, 1883.]

BARKER'S NOTICE.

"I now take my stand in the Democratic party to uphold its standard against the black flag of Radicalism, as I ever did even when in the Readjuster party. I cannot be led into the Radical ranks under the name of Readjuster. I am no Coalitionist. I believe that the white people will rule Virginia. but Radicalism will not have it so."

Every white man in the county who has been a Readjuster should follow his example.

[Page 43, Danville Register, editorial, October 30, 1883.]

The canvass is remarkable also for being practically a race issue, to determine whether the white people, who founded, built up, and maintained this Government, are to continue to control its destinies or to surrender it to their former slaves. But perhaps the most remarkable thing about the whole matter is, to find the negroes banded together and led on by white men against their own color and race.

[Page 45, Pittsylvania Tribune's correspondent, at Danville, October 24, 1883.]

MR. EDITOR: If any proof were wanted to the fact that all classes of white men in Danville are thoroughly aroused in this campaign, it was furnished on the night of the 16th, when Colonel Peyton and Maj. Baker P. Lee addressed them at Star warehouse.

[Page 46, Pittsylvania Tribune, latter part of October.]

The canvass goes bravely on. Everywhere white men are aroused and everywhere they evince a determination to do all by word and work to advance the cause.

Your white brethren of Danville call upon you to come to their rescue. They have suffered and are suffering under negro rule. They are aroused and intend to throw off the yoke.

[Page 47, same paper, editorial.]

Your gentle wife, your children, to whom you must bequeath a country blessed with good government or cursed with bad, call upon you to arouse and go forth to the battle. The great questions, shall white men rule; shall civilization be preserved, and our society protected, are before you. How will you answer?

The Campbell County Record, published in county adjoining Pittsylvania, in its issue of November 9, 1883, contains the following local items:

A TRAITOR.

A gentleman from Castle Craig gives us the following note:

"Castle Craig gave a solid vote against Tyree Callahan, and all the rest of the negroes."

We learn that this man, his two sons, and a son-in law voted the Coalition ticket. These are the only renegade white men yet heard of in this county. We believe that the severest condemnation should be put upon these traitors to their own people and their country in its hour of peril. Keep them spotted.

That was the temper and language that they used.

By Mr. LAPHAM:

Q. When was that?—A. That was on the 27th day of September, 1883, and under oath I moreover say that I predicted this from the temper of the white men of Danville that the slightest provocation would make bloodshed there. Danville and Pittsylvania County, to my knowledge, is the most lawless and violent community in Virginia, and the adjoining county of Caswell, in the State of North Carolina, also where the Ku Klux formerly resided.

By Mr. VANCE:

Q. That is a large Republican county.—A. Yes; and wherever there is a large Republican vote, in that neighborhood there will be a large number of Bourbon shot-guns.

Q. Yes; and there will be a great many men go to the penitentiary wherever there is a large Republican vote?—A. Yes; and a great many will go down to death at the muzzle of Bourbon shot-guns.

Q. I don't know as there is any necessity for you to assail North Carolina here.—A. I do not assail the people of North Carolina; I believe that the best people of both Virginia and North Carolina reprehend this state of things as sincerely as I do. It is only that they are made drunk by these inflammatory appeals to them by politicians who fear the loss of their power and so have no way of rehabilitating themselves except by raising this color line. I assert, and am prepared to prove that no community of that commonwealth was so fitted for this outbreak. I have in my possession the evidence of well on to a hundred murders, hangings, and maimings committed in the neighborhood of Danville within the last fifteen years. I can produce now the evidence of where a brother killed his own sister in Danville in a disreputable place; where a man killed another in Pittsylvania County about a puddle duck. I am prepared to prove mob after mob. To show where a man killed his son-in-law at the breakfast table in presence of his own daughter, the man's wife; where two daughters cut off a father's head

with an ax; where a white man killed a black man there and put him in his store and set fire to it to get the insurance on his own life. In speaking of it to a leading citizen of Danville, his answer was: "We tried to make the negroes mob that man and hang him but the fools wouldn't do it." I could name many other crimes equally hideous. I assert that no place in that commonwealth could have been so susceptible to these inflammatory influences as the community of Danville. When I spoke at the town of Chatham—I will let their own paper state what occurred.

By the CHAIRMAN:

Q. Was Chatham in the same county?—A. The county seat of Pittsylvania County. Here's what they said. Here's their own county seat that gives you the character of the reception to a man that differs with them. It represents me as a very violent man. I will read what it says:

Mr. Wise in conclusion was very much excited. His remarks were almost entirely of a personal character, delivered in a bulldozing manner and not all courteous, and but for the cool manner in which Mr. Munford received them a difficulty would certainly have arisen, which would have caused deep regret. During Captain Wise's first speech the people had stood back, but when he spoke the second time the stand was now crowded; knives were drawn, hands on pistols, and had the slightest motion been made a horrible row would have ensued, in which, of course, Captain Wise would have fared very badly, as the crowd was thoroughly incensed against him.

We cannot see that either side made or lost anything by the discussion, as we have not seen or heard of a man that was converted either way.—*Chatham Tribune*.

I am fortunate in not knowing the intense peril in which I was until I read it in that paper. Now, I assert here and file in proof of it these editorials.

Q. Are there any particular clauses which you desire to have embodied in your testimony; as a matter of course, we cannot place that whole document in except as an exhibit?—A. I ask leave to select and file from these editorials from the three papers, the Register, the Times, and the Chatham Tribune.

By Mr. LAPHAM:

Q. Printed at what time?—A. Running through July, August, September, and October. I wish to file also in this connection, as corroborative of the temper and spirit which I say existed.

By the CHAIRMAN:

Q. What paper is that?—A. The Danville Times of the 22d of February, 1884.

Q. Last Friday?—A. Yes, sir; I would like to file an editorial of the Danville Times.

Q. Read that editorial from the Danville Times of February 22, if you please.

Witness read as follows:

STEAM UP.

A short while ago the Democrats of Danville were a unit and red hot. Young and old, rich and poor, all were up to fever heat.

It is time now to steam up again for another fight. The object will be to rid Danville of every vestige of negro rule. One more effort of the great Democratic stomach will throw up every particle of Radical stuff which was left after the great upheaval in November last.

Let's go to work, right away, friends, and, if necessary, let us make it hotter than it was before.

I wish to say, moreover, that when I visited that section, by the manner, by the signs, by the utter withdrawal of the whites, by the inflammatory harangues of their journals, and by my knowledge of the lawless community, I was prepared for and expected from the time I went there in September the occurrence of exactly this thing, and I regard the attempt to put it upon Mr. Sims's speech as simply a subterfuge. It was the result, I assert here, the legitimate result of the inflammatory efforts that had been made, and the appeals with which these people had been plied and infuriated from the time of May at very least, when Governor Cameron appointed those negro trustees.

Q. Is there anything else you desire to state as bearing upon the cause of the Danville riot?—A. Yes, sir. I am glad you asked me that question. When I was in Danville, in September, I was visited at my room by white men who had been there before when I was a canvasser there. Among them I recall the names of John A. Smith and Robert F. Jennings.

Q. Were they Democrats or Readjusters?—A. Mr. Jennings had been a Readjuster. He represented to me that at heart he was as much a Readjuster as ever; that his heart was with us, but that he was afraid to open his mouth; that the Democratic party had waited upon his employers—he was in a warehouse—and told him that unless he joined a Democratic club, or they discharged him, their discounts should be cut off at the bank and that tobacco would not be sent to their warehouse. Up to that time he had been able to resist it, but before election day Mr. Jennings was a member of a Democratic club. I say that I can only gather these things from Readjusters. No Democrat would have told it to me, because I suppose he would never expect to get me into a Democratic club; but that was the statement of Mr. Jennings himself to me, and that was corroborated—that species of public feeling and coercion and ostracism and all sort of violent methods was corroborated to me by statements of the leading Readjusters of our party there in a way that I had no reason to doubt it.

By Mr. LAPHAM:

Q. Were there any business advertisements there pointing to this condition of affairs?—A. Yes, sir. I desire now to file what I have cut from the Danville papers. I will take the advertisement of Tyack & Co. Mr. Tyack was a member of the committee of forty. Mr. Tyack was a member of the grand jury, and Mr. Tyack was also a hardware dealer in the town of Danville. I file here the Danville Register, and wish it to be printed as it appears.

Q. What is the date?—A. September 26, 1883.

[The Daily Register, Wednesday, September 26, 1883.]

IMMENSE STOCK

—OF—

COOKING AND HEATING

STOVES

—AT—

TYACK & DOE'S.

[The Daily Register, Friday, November 2, 1883.]

DEMOCRATIC TICKET.

ELECTION NOV. 6, 1883.

FOR THE STATE SENATE,

JOHN L. HURT.

TYACK, DOE & CO.,

DEALERS IN

HARDWARE, STOVES,

SHOT-GUNS AND PISTOLS,

TIN AND WOODEN WARE, AND HOUSEKEEPING GOODS, &c.

THE IRON KING COOK STOVE, for which we are sole agents, has the reputation of being the best Cooking Stove in the market. We keep all sizes constantly in stock, and offer them at uniform prices to all our customers.

Large assortment of lower-priced COOK STOVES.

Our stock of BREECH and MUZZLE loading

SHOT-GUNS

COMPRISES THE COLT, BAKER, SCOTT, AND REMINGTON MANUFACTURES, IN ADDITION TO A LINE OF ENGLISH GUNS IN 10, 12, 14, AND 16 GAUGES.

We are offering a very large assortment of

LOADING IMPLEMENTS, CRIMPERS, METAL AND PAPER SHELLS, WADS, PRIMERS, &c.,

at the very lowest figures.

HAZARD POWDER.

We are agents of Hazard Powder Co., and furnish at wholesale rates all kinds of Rifle, Blasting, and fine Ducking Powder.

The HAZARD POWDER *has no superior.*

OUR HEATING STOVES,

adapted for Wood and Coal, are now ready to exhibit and we invite our customers to call early before the assortment is broken.

IN OUR MISCELLANEOUS STOCK WE HAVE CEDAR PAILS AND WASH TUBS, CEDAR CHURNS, BREAD TRAYS, BROOMS, BRACKETS, WAITERS, KNIVES AND FORKS, FLUTING MACHINES, CLOTHES WRINGERS, and hundreds of small and useful articles too numerous to mention.

TYACK, DOE & CO.

Oct. 17—d&wtf.

[The Daily Register, Saturday, November 24, 1883.]

LOCAL MATTERS.

NOTICE!—Individuals and firms *borrowed* GUNS and PISTOLS of us during the evening of the riot. Some of them have failed to return them and it was impossible in the rush for fire-arms to take a memorandum of the names of all the parties. We call

upon our friends to refresh their memories and examine their premises and if they should find any property of the kind here advertised *not returned or properly accounted for* to attend to the matter at once.

TYACK, DOE & CO.

Nov. 23—3t.

[The Daily Register, Wednesday, October 24, 1883.]

LOCAL MATTERS.

J. E. SCHOOLFIELD & CO.,

DANVILLE, VA.,

Keep constantly on hand a complete stock of

HARDWARE, STOVES,

BREECH AND MUZZLE-LOADING

SHOT-GUNS,

MALTA PLOWS, AXES, HOES, &C.,

WHICH THEY OFFER FOR SALE AS LOW AS THE LOWEST.

A CALL IS SOLICITED.

I also desire to file an advertisement of Valentine & Co., and other advertisements.

[The Danville Times, Danville, Virginia, Friday, December 7, 1883. P. Bouldin, editor and proprietor.]

(New store. My first advertisement.)

ADVERTISEMENTS.

GUNS, GUNS,

PISTOLS, PISTOLS, &C.

The undersigned would respectfully inform the citizens of Danville and surrounding country that we have opened a Gun Store next door to Messrs. Gravely & Burton, lower end of Main street (red front), and have laid in a large supply of the Finest

DEANANA, PIEPER, PARKER,

DALY, COLT, REMINGTON,

And other celebrated makes of

BREECH-LOADING GUNS,

BREECH-LOADING RIFLES,

DOUBLE AND SINGLE BARREL

MUZZLE-LOADERS,

From the finest to the lowest grades. Also, a large stock of Sportsmen's Goods generally.

SMITH & WESSON'S

DOUBLE-ACTION PISTOLS, ALL SIZES.

STANDARD AND OTHER PISTOLS.

GAME BAGS, BELTS, POUCHES, HUNTSMEN'S SUITS, CARTRIDGES, POWDER, SHOT, &c.

In fact, every article usually found in a first-class Gun establishment. All of which we will sell at astonishingly low prices. Every article guaranteed as represented.

We respectfully invite the public to call and examine our stock, as it will give us pleasure to show the goods. Any gun not in stock will be ordered at short notice.

J. H. VALENTINE & BRO.,
(Next door to Gravely & Burton.)

L. C. CLARKE, Manager.
no16-tf

Q. Are there any business advertisements in the papers about that time warning people about trading with Readjusters or anything of that character?—A. No, sir; I don't know of any such thing in the papers.

By Mr. VANCE:

Q. The burden of your remarks, Mr. Wise, was to prove that the white people, or Funders, or Democrats, or Bourbons, or whatever you term them, were to blame for trying to raise the race issue in Virginia?—A. Undoubtedly, sir.

Q. Now, I will ask you what is the colored vote of the State of Virginia?—A. One hundred and twenty-eight thousand. I will give you the exact figures. The colored voting population of Virginia, as appears by the census of 1880, was 128,257.

Q. Now, please, if you have it before you, give us the white vote.—A. Yes, I have that also, 206,248.

Q. Now, can you give us the vote between Mr. Cameron and Mr. Daniel?—A. Yes, sir; the vote between Cameron and Daniel was as follows: Cameron received 113,473, Daniel 100,758.

Q. Now, can you draw any idea from that—have you the means of drawing any deductions from that as to the number of colored votes that were cast for Mr. Daniel?—A. Not from these tables.

Q. What do you suppose the percentage will be?—A. My impression was that Governor Cameron in that election received about 60,000, from 60,000 to 65,000 blacks, and the balance of his votes, you may say 50,000, it might be, whites. And that Mr. Daniel received about 90,000 whites, from 90,000 to 93,000 or 94,000, and that he received from 7,000 to 10,000 blacks.

Q. Then you would put the percentage of black votes cast for Mr. Cameron at about 60, would you not?—A. About 61.

Q. About 61 per cent. And the percentage of colored votes that were cast for Mr. Daniel about 6 or 7?—A. Yes; Mr. Daniel never received in Virginia over 10,000 black votes in any event, I am satisfied.

Q. Then it follows naturally that the blacks are more firmly consolidated than the whites?—A. I think they were.

Q. There is no doubt about that, is there?—A. No doubt about it.

Q. Now, I will ask you a general question: If there is not a very sharp and rigid ostracism among the colored people against any one of their number who votes the Democratic ticket?—A. Well, sir, I have heard more of that here than I ever knew before. I have never mingled with them in such a way, because political affiliation does not mean a knowledge of their social life at all, although the Bourbon party has endeavored so to represent it. I have never had an opportunity to observe their social relations, to judge whether there is any truth in that or not, but I have no doubt that the vast majority of them being Republicans use every reasonable effort to make their associates go with them.

Q. Mr. Wise, have you not knowledge—and when I say knowledge I mean such as you derive from observation—that you would rely upon of many instances where they have beaten men of their own color and exercised violence toward them for voting the Democratic ticket?—A. I am fully aware of my oath in that regard, and must answer that I never heard of an instance of that sort in my life, that I recollect, in Virginia.

Q. You seem to be pretty well posted about what took place in Danville; the course of their politics there; do you not know that the Democratic club there issued an address, in which they offered to protect from violence any colored man that would vote the Democratic ticket?—

A. I look upon that exactly in this manner. I have seen a hawk scatter a covey of birds, and then sail over the field hanging over them, and if he should drop from his talons an assurance that if the birds came out he would not strike them, I should think it would be just as reassuring as the assurance of these white men that they would not kill the negroes after they had spent the evening on Saturday doing so.

Q. Unfortunately for the beauty of your figure my question did not refer to any effort on the part of the Democratic club to protect the negro race generally; but it was issued, as I understand, before the Danville riot, offering to protect the colored man from violence by his own race if he was inclined to vote the Democratic ticket.—A. I didn't see that address. I have no doubt they made such an offer if you state it, and were fully able to carry it out.

Q. I have seen the paper but don't remember the date, and may be in error in stating that it was before, but I think it was. Now, in the election between Cameron and Daniel, it appears from the statistics which you have given us that scarcely one-half the legal white votes were cast?—A. Less than one-half if you observe—no, I am wrong, the legal vote was 335,000; the actual vote was 213,000.

Q. That is less than one-half isn't it?—A. No; 213,000 is more than one-half of 335,000, it is about 66 per cent.

Q. Mr. Daniel's vote was less than 100,000?—A. No. 100,758.

Q. And the total white vote displayed by the census is over 200,000?—A. Two hundred and seven thousand.

Q. Now you said that this color line was drawn not for the purpose of intimidating the blacks, but to consolidate the whites?—A. Yes; and I will say to you here, I say that—

Q. Well, I was just quoting your statement?—A. Here is an editorial from the Danville Times of August 17.

(This editorial is already in evidence.)

Q. Exactly; now, then, I was correct in quoting what you said?—A. Yes, the purport of it was to inflame the whites to make them think there was a war of races. This Danville massacre was made to appear as an uprising of the blacks against the whites.

Q. Now, the colored people were consolidated to the extent of about 93 per cent. of their whole number, only leaving about 7 per cent. that voted the other ticket?—A. Probably so; I have not calculated the per cent.

Q. Well, I am only speaking approximately of course. I can't take time now to make the calculation; and the white people were divided almost in two, half and half. Now, do you think it unfair, according to our notion of politics, that the party that was in the minority should use means to bring up their voters that had not come to the polls by appealing to them on account of their race?—A. I not only regard it—

Q. In the face of the almost consolidated vote of the other side, do you think that is fair?—A. By any legitimate argument which would appeal to the intelligence of the community, I recognize it as the right of any party to avail themselves of it, but I speak with a knowledge not only of what was said but how it was said. The Bourbon party of Virginia never made the appeal otherwise than by the denunciation of every white man, his public and his private character. There was no relation of his life that was too sacred for their abuse, vilification, and denunciation, and as to the blacks the effort was made to band the whites against them as if they were with torch in hand and blade at their breast going to kill them, unless they rose up banded against them. I assert that throughout the State of Virginia it was more like war than peace, through

the efforts of the Bourbon party, and I don't claim to be a particularly brave man or admit that I am a particularly cowardly one, but I say in all sincerity, and under the solemnity of what I have sworn to, that never since the war, or even in the war, had I a more serious sense of personal risk than I felt during the last three weeks of the last campaign.

Q. Well, with all due respect, I don't think that fairly answers my question.—A. Well, I mean to say this, that admitting as a general proposition, that any civilized and legitimate appeal is admissible; I say that the appeal made by the Bourbon party of Virginia in the last contest was barbarous.

Q. It was not fair?—A. It was not fair; it was not civilized; it was not human, and not worthy of the nineteenth century.

Q. That is your opinion?—A. That is my opinion, and it is under oath.

Q. Now, if a man was to get up on the stump in Virginia out in that campaign and appeal to white men, and say, here you see the negroes are nearly all solid for their side of the question, I appeal to you because you are white men to become solid also, would that have been unfair?—

A. I think it would have been untrue, because I don't think that they were banded upon any race prejudices.

Q. Well, they were all together?—A. They were supporting white men themselves. It could not have been that they were making a race fight. They were fighting for white men in nine cases out of ten. They had just voted, about 60,000 of them, against a negro, it could not have been race prejudice.

Q. Certainly, but they looked upon you as their man?—A. I don't suppose they mistook me for a negro, though.

Q. At the same time, though, they looked upon you as their candidate; the man to carry out their principles that they believed in, I suppose, didn't they?—A. Do you know that the negroes have a great deal more intelligence than your party is wont to give them credit for in politics. You would be astonished to find how universal their favor of the doctrine of protection is.

Q. You don't give that as an evidence of intelligence, do you?—A. Yes, sir.

Q. That they would prefer high goods to cheap ones?—A. I am not going to discuss with you about the doctrine of free trade or protection.

Q. You alluded to it?—A. We don't agree about protection; Know-nothingism, or anything else.

Q. Yes; we do agree about Know-nothingism?—A. No; when I first knew you you belonged to the K. N., Know-nothing party; and now you belong to the N. K., negro-killing party. The principles of your two parties were the same.

Q. I think that is going rather too far. Then you were a secession Democrat.—A. No; I was only nine years old at that time.

Q. Well, whenever a man pleads the infancy act I am off.—A. No; I don't think you have changed base at all; Know-nothingism is based upon ostracism.

Q. If, at that time, I was opposed to this country being ruled by respectable white foreigners, I am opposed now to its being ruled by negroes. I suppose you are opposed to negro rule, are you not?—A. I am not aware that that is an issue.

Q. Do you think that in Virginia or in any other State negroes ought to be admitted to a share in the rule of the country in proportion to their numbers?—A. I don't think that that is a question which ad-

dresses itself to my judgment. I was a Confederate soldier and a slave-owner. I never agreed to the emancipation of the negro; I never agreed that we were not out of the Union, until I got licked out of these notions. You ask me what I think they ought to have.

Q. No; I asked you if you thought that the colored people ought to bear their proportion of their rule in this country in proportion to their numbers.—A. I don't think what they ought to do; I know what they are entitled to, and what we have sworn to give them. We have accepted the constitutional amendment which makes them free, which gives them the franchise, and a man who draws nigh unto that with his mouth, and presses it with his lips, while his heart is far from it, is as great a hypocrite as I know. We have sworn to recognize the political equality of these negroes, and they have the same rights as the white man, and whenever his vote cast it should be honestly counted.

Q. That still brings my question back; are you in favor of giving them a share of the offices of the Government of the country in proportion to their numbers?—A. Not in proportion to their numbers at all; I don't think the proportion of numbers has anything to do with it. I am in favor of recognizing his political equality in proportion to his intelligence and capacity. If he is the fittest person for an office he ought to have it, if there is but negro in the community; on the other hand, if there are ten hundred thousand negroes and but one white man, and the white man is more fit for the place than the negro, the white man ought to have it.

Q. Has that been observed in Virginia since your party has been in power there?—A. I am not prepared to say to what extent it has been observed; I can only say this, that it has been demonstrated that that is the feeling of the negroes in the town of Danville itself, where they have always had a majority, and yet there has always been a majority of the white men in the administration of the Government.

Q. I ask you if that has been observed by the authorities of the State of Virginia since your party have had power there?—A. Perhaps if you would specify what your direction is, I might answer more definitely.

Q. You have stated in that proportion to their intelligence, and the number of their intelligent men, and their upright men, &c., that they ought to have a share in the Government. I ask you if that has been observed by the Readjuster authorities of Virginia?—A. I think the effort has been made to observe it; I think that the Readjuster party is by no means without its faults and its shortcomings.

Q. They have not done their full duty, then, by the colored man any more than other parties?—A. Yes, sir; they have done a great deal for the colored man. In the first place the Readjuster party repealed the poll-tax law enacted by the Bourbon party for the distinct purpose of disenfranchising them; I think that is a pretty good thing for the colored people.

Q. Didn't that also disenfranchise any white man who did not comply with its provisions?—A. Yes; it was a very bad piece of political machinery, intended to put power into the hands of the dominant party.

Q. You think so, but at the same time, whilst the dominant party were in power and that law was enforced, your party got the upper hand of it?—A. Yes; because our party was overwhelmingly in the majority, and is now, really, and nothing but this race-cry ever defeated it.

Q. Yes, and after the law was repealed, your party still being in power, the Democrats regained control of the State.—A. The Democrats regained control of the State originally by a very base appeal to race passions.

Q. So you have stated.—A. And they have since then stolen a two-thirds majority of the legislature by the most shameless proceedings that have ever disgraced this country.

Q. That is your opinion.—A. That is the opinion of their own people, a good many of them.

Q. Now, you know that many States in the North prevent a man from voting until he pays his taxes, don't you?—A. Yes; and I am too good a Democrat to sanction any such subterfuge.

Q. Then the injustice, if it be an injustice, in that respect was not confined to the Democrats of Virginia?—A. Not at all. I believe there are other bad men in the world besides Virginia Democrats; I take a broader view of life than that, I hope.

Q. Now, referring to your contest with Mr. Massey, of which you have given us a brief history.—A. No, sir; I only referred to statistics to show where our vote was.

Q. Now, I ask you if it is not charged that a great number, if not enough to unseat you, of votes were cast in that election on fraudulent certificates of taxes having been paid?—A. Oh, yes, it is charged. For example, Massey charged that I received 20 illegal votes at every precinct in Clarke County, but in one of them there was not a vote cast for me, in another only 8, and in another 14. He can charge anything he chooses, but he can't prove it.

Q. I think he can a good deal, can't he?—A. I consider my case stronger now than when we started. He has not proved anything, and I have proved some seven hundred perjuries and forgeries in Richmond for his benefit.

Q. And has he not proven as many cases of illegal votes as he claimed to?—A. I think I can't answer that question better than by saying what he charged, and what he proves by this. It is about like a fellow who claims a foreign minister's place and winds up with a pair of old boots. He started with a tremendous charge, and his evidence proved little or nothing. I will add, moreover, that Mr. Massey was the original inventor and discoverer of the special tax receipt. His argument in favor of it was the strongest I have seen.

Q. Now, I want to ask you what is the process of collecting this tax in Virginia? When a man fails to pay his taxes at the regular time what then befalls him?—A. When a man fails to pay his taxes he is returned delinquent; that is a long story and a rather tiresome one, I am afraid. In the first place, to be delinquent he must be assessed; if he is not assessed of course he does not appear on the delinquent list. Now, a man may be in default, you see, without being delinquent. Sometimes he is delinquent and sometimes he is not. There are two ways of being in default.

Q. Well, it will answer my purpose if you will pursue the history of a delinquent tax-payer.—A. I was going to show you. They are all called delinquent, although technically they are not delinquent; but when a man's tax has not been paid for the preceding year, but had been assessed, he was returned delinquent. If he had not been assessed he was not returned delinquent, but had to be assessed and pay. In either event he had to have a receipt. If he had been assessed he found a delinquent tax receipt in the hands of the county officer, if he could find that county officer, and he paid him for it and got his receipt. If on the other hand he had not been assessed he had to seek an assessing officer, be assessed, then take his assessment to the county officer and pay it to him. A great many men were omitted from assessment, I have thought, intentionally, so as to hedge about the trouble of their

qualifying themselves. Those on the other hand very frequently who were returned delinquent found great difficulty in finding the officer just before election, provided they did not agree politically with that officer.

Q. What was done with the list from each county when the county treasurer or sheriff—who collects your taxes? What county officer?—

A. The treasurer, I take it, collects the taxes.

Q. Then, when he settles with the State treasurer, what did he do with the delinquents?—A. He returns his delinquent list to the State treasurer.

Q. Don't he also return to the clerk's office?—A. One copy to the clerk's office to illustrate it. In our town Tinsley is the treasurer and Jenkins is the clerk and Allen was the auditor. The tax-list is sent to the treasurer and after a time specified for him to collect he returns his delinquent list in duplicate, one to the clerk of the hustings court, the other to the capitol. Then a person owing taxes and on the delinquent list can pay at the office of the clerk and get his receipt. The person who has not been assessed can go to the commissioner, be assessed, and he takes that to the treasurer.

Q. Now, suppose the list is all returned and the time has passed, what does the State treasurer do?—A. Suppose the list is returned?

Q. Yes; from all the counties.—A. Well, I don't remember the exact phraseology of the law, but it requires him to send it out and put it in the hands of the enumerated officers, among others a special collector. He is allowed to send the list to any sheriff, sergeant, or constable, my recollection is; any bonded officer already in existence in the county, or to a special collector. If you are interested in that subject I can get you—

Q. I don't want the law itself. You have given the outline of it, I have no doubt.—A. I can give you Mr. Massey's statement of the law if you want it.

Q. I will not ask you for it now. I will ask you now if the treasurer of the State in the late election did not return this delinquent list?—A. The auditor of the State.

Q. The auditor, to the various counties to a collector of his own appointment instead of to the sheriff?—A. Not in the late election.

Q. Didn't he do that?—A. Oh, no, that is all over now. We repealed a poll-tax law in 1882; there was no poll-tax in the late election.

Q. I mean in your election?—A. Yes.

Q. Didn't he send these returns to collectors of his own appointment?—A. Yes, sir.

Q. Instead of to the county officer?—A. There is a special section which allows him to select and appoint special collectors.

Q. Do you know why they were so sent instead of to the regular officers of the county?—A. Because, in the first place, it does not pay as a general proposition to collect those little amounts. There is, too, a great deal of trouble about it, collecting a dollar and five cents from each tax-payer. There had been a very general neglect of it. I will give you the reasons better here than I can give them myself. I read from John E. Massey:

Into whose hands ought the auditor to have placed these delinquent lists?

He ought, beyond question, to have placed them in the hands of those who were most likely to collect and pay into the treasury the largest proportion of the amounts placed in their hands.

To have placed these lists in the hands of the sheriffs of the counties and the sergeants of the cities would have relieved the auditor of much labor and care, and been the easiest method to him of disposing of the whole matter.

Would that have been best for the Commonwealth?

Let us see: The delinquent lists for 1877-'78 were placed in the hands of sheriffs in nearly every county in the State. They seem not to have been sent to any one in some of the counties. If they were, there is no evidence of it in the auditor's office.

Many of these lists have been returned without one dollar having been collected. Only sixteen of all the sheriffs and constables appointed report any collections whatever.

The delinquent lists sent out exceeded \$75,060. They have been out more than a year; and *all* the collections reported from the *counties* of the State amount to the pitiful sum of only \$224.64. This is the entire amount.

How was it in the cities?

The delinquent list of Norfolk was \$3,033.10. This was placed in the hands of the sergeant of Norfolk City, and was published in one of the newspapers there at a cost to the State of \$1,501.50. The entire amount of collections reported by the sergeant is \$53.71. After deducting 20 per cent. for collecting, the State received \$42.97, and paid for printing the lists \$1,501.50!

The delinquent lists of Richmond amounted to \$9,017.62. They were placed in the hands of the sheriff of Richmond City, who reported collections amounting to \$400, which he paid into the treasury.

No collections were reported from the cities of Alexandria, Danville, Fredericksburg, Lynchburg, Manchester, Portsmouth, Staunton, Williamsburg, or Winchester. (My appointee in Alexandria has already paid \$300, which he collected, of the delinquent taxes of 1879-'80.)

The delinquent lists of Petersburg amounted to \$3,780.09.

Andrew Dunn, who was neither sheriff, sergeant, nor constable, was appointed to collect these lists of 1878-'79, precisely as I have appointed him to collect the lists of 1879-'80.

He collected and paid into the treasury \$1,200. Here was *one single "collector"* who paid into the treasury very nearly *twice* as much as *all the sheriffs, sergeants, and constables in all the other cities and all the counties of the State combined!*

With these lights before him, into whose hands ought the auditor to have placed the delinquent lists of 1879-'80? Would he have used the discretion given him by the law wisely if he had again appointed those who had returned the entire lists of 1877-'78 without collecting a *single dollar*, as many of them did, or those whose collections were a mere bagatelle?

Ought he not to have selected men whose time and attention were not engrossed with other official duties which they regarded as of paramount importance—men who desired employment, and were willing to devote their time and attention especially to this work?

The statement of these questions suggests the only sensible answer.

The auditor answered them by *deed* instead of word.

That will do as a sample of how it was done. Well, now he says:

The object of the laws enacted for the collection of revenue is to secure from each citizen and property-holder of Virginia all the taxes with which he may be properly assessed, so that each may bear his just proportion of the expenses of the Government. Hence the legislature has provided ample means for their collection, and made it the duty of the auditor to see that these means are properly used. While this is imperatively demanded of him, he is given large discretion in their selection and use. This is very manifest in the law under which he appoints collectors of delinquent taxes.

That law is as follows:

"A certified copy of the first and third lists heretofore returned (that is, the personal property and capitation lists) shall be placed by the auditor of public accounts, within sixty days after receiving the originals, or as soon thereafter as practicable, in the hands of any sheriff, sergeant, constable, or collector, for collection; the same to be accounted for within one year thereafter—said officer to have the same power of distress as treasurers, and shall account for the same in like manner; and he and his sureties shall be subject to all such remedies as are given to the commonwealth against treasurers for failure to pay; and his compensation shall not exceed twenty per centum of the amount collected and paid into the treasury. * * * But in no case shall such delinquent lists be placed for collection in the hands of any officer who has returned the same."

This law makes it the imperative duty of the auditor to place the delinquent lists in the hands of *somebody*, but it leaves him to determine whether that somebody shall be a sheriff, a sergeant, a constable, or some one else. The only restriction upon his selection is that these lists shall not "be placed for collection in the hands of any officer who has returned the same."

And the auditor said with these lights before him that he believed the special collectors would make a specialty of this, would be better, and they would be more successful, and they would not be out of the way on purpose.

Q. That was in 1882 that the auditor of the State issued all these delinquent lists to special collectors?—A. Yes, sir.

Q. Those special collectors were all Readjusters, were they not?—A. I think they were for the most part, probably.

Q. It was upon that that the frauds were alleged to have been perpetrated, was it not?—A. Yes, sir; alleged.

Q. That these special collectors appointed by one political party issued receipts where money was not paid?—A. Yes, sir; but that was proved to be false.

Q. Well, I did not ask you if it was proved false. I want to ask you if that was not the allegation?—A. There were \$16,000 of cash in the treasury of Virginia from these poll taxes collected by these special collectors, so that the pretense that they were issued without money is all nonsense. The receipts are filed in the collector's office. I filed the receipts of each county, and as fast as Massey charged that the receipts had been issued without the payment of money for them I would file receipts showing that a dollar and five cents had been paid, and that the money had been paid in the treasury before Massey's notice to me had been served in many cases.

Q. You spoke of Mr. Tyack's advertisement here?—A. Yes, sir.

Q. Guns and stoves and stew-pans, and so on, and so on?—A. Yes, sir.

Q. Do you suppose that that gentleman had those guns there for the purpose of bringing about that riot and killing the colored people?—A. No, sir; but I suppose that gentleman found an unusually active traffic in guns just before this time; in fact, I am satisfied of it.

Q. Do you know where those guns were made, for instance?—A. No, sir, but I expect to prove it by him.

Q. That they were made where?—A. I say I expect to prove where he got them from by himself.

Q. Well, he could purchase them in the markets of the country?—A. I suppose so.

Q. You don't suppose that they were manufactured in Massachusetts for the purpose of shooting darkies in Danville?—A. No, sir; I fancy not. We used to accuse the Massachusetts people of bringing the slave here, but I have not heard such a charge about guns to kill the negroes.

Q. They made them for sale, I suppose, and Mr. Tyack bought them for sale in the same way. How often were you in Danville in the last canvass more than September?—A. Twice, I think; not to speak but once, though my impression is that I visited there on my way to Franklin Court House, and spoke there when I came back; possibly twice or thrice.

Q. Now, you have told the committee that Sims's speech had nothing to do with the excitement.—A. Not at all; I did not know how much Sims's speech had to do with the excitement.

Q. I mean with the riot.—A. I said that it was nonsense to say that Mr. Sims's speech was the immediate cause of it.

Q. It was what the doctors call a remote cause—a proximate cause.—A. Well, you hear that in murder, too.

Q. Don't you understand that Mr. Sims's speech was a proximate cause of the outbreak?—A. I don't see what Sims's speech had to do with these men going there to whip that negro next day. He never insulted

them, on their own statement, for anything that Sims had said, and they never whipped him for anything Sims had said.

Q. Then do you think that the proximate cause of the riot was that fight between Lawson and Noel?—A. I think that the facts of the Danville massacre may be exaggerated, but the import and the animus of it cannot be exaggerated. It was but the mere outcropping of one of the most inflamed and outrageous canvasses I ever knew, and that was a fitting place for it to culminate.

Q. In all candor, if it was an inflamed and outrageous canvass, was not Mr. Sims's speech one evidence of inflammation and outrage?—A. I am not Mr. Sims's explainer or apologist; he can do that himself. He will be upon the stand.

Q. I understand that, but I want your opinion of it.—A. I will say this, as a general proposition, that it is bad taste, bad manners, and no proof of pluck for a man to get on the stand and denounce man after man as a liar, scoundrel, &c.; but you must wait to hear Mr. Sims's reason for doing so before you judge him, and I decline to judge him in advance. He will probably give you a statement of palliating circumstances and provocation which I don't know.

Q. Now, Mr. Sims's speech shows for itself. Didn't you and other orators of your party return not good for evil, but evil for evil, and reviling for reviling with compound interest in all that campaign?—A. I have never had a difficulty in a political discussion in my life. I am aware that I was represented as probably having a forked tongue with both ends loose. The nearest I ever came to a difficulty was at Halifax Court House. In my speech I had stated that my last visit was as a ragged boy bearing dispatches. Mr. Berkley was my opponent, and when he rose after I had made a speech, which I thought was proper, he struck a dramatic attitude and said, his first sentence was, "But what would your old commander think of you if he saw you to-day leading on the black hordes of this county against their decency." I arose, tapped him on the shoulder, and said, "Stop, sir; I have never done ought in my life that my dead commander would reprehend or my loving children be ashamed of, and the man don't live that shall say so to my face." He disclaimed any personal allusion, and we agreed most pleasantly afterwards. That was as near to a personal difficulty as I ever had. I will add, however, that I don't claim to be exempt from the infirmities of men; that I, generally, if anybody hits me with a brick try to hit him with a bat at least.

Q. Well, my question embraces not only you but the orators of your party.—A. I heard very little of the discussions.

Q. They didn't go through the canvass tamely, submitting to everything, did they?—A. No, sir; in the canvass preceding Mr. Riddleberger had two duels in one day, and I took a turn at the bellows myself in the preceding canvass, but I wish to state here to-day that, after mature deliberation, having arrived at the age of thirty-seven years, with five living children and a growing family, and with, I hope, rather a broader view of life than I had, I made up my mind that no provocation whatever would ever drag me into a duel, else I would have been involved in forty duels during the last canvass.

Q. Have you any extracts from newspapers showing where Democratic orators were made to submit to castigation and abuse?—A. Well, no; I have not. It was a very common expression in accounts of meetings that somebody was "skinned alive."

Q. Did you ever hear it asserted on the stump or see it asserted in the papers that if the Democrats carried the election the negroes would

be put back into slavery?—A. Oh, I have seen in Democratic papers that such statements had been made.

Q. What papers, do you recollect?—A. No. I think I have seen the statement in the Dispatch, or in the State, that such appeals were made to them.

Q. I am informed that the files of the Dispatch can be produced if you think you could show any such articles.—A. My particular allusion was, if I recollect correctly, to the State of a day or two ago, which published a card either purporting to be a circular by Norton and Griffin, in which the colored people were warned that the Democrats were trying to turn them, and that if they vote for the Democrats they would be put back into slavery, &c.

Q. I have that before me and will put it in evidence, with the permission of the committee.—A. That is the thing published in the State; I would like to see it.

Q. I will read it:

CAUTION! BEWARE!

Let all true Republicans look out for Democratic tricks.

It is known that Straightout leaders will try and get you to vote the Democratic ticket.

Vote the TRUE REPUBLICAN-READJUSTER COALITION ticket for

D. M. Norton

and

R. G. Griffin.

Vote for your freedom!

Save your free schools!

Save your free ballot!

Vote for low taxes!

Spurn Democratic money, which will be offered to enslave you and your children!

When the shackles are once on you will be lost forever!

The Readjuster party is the POOR MAN'S party!

Don't believe Funder lies and listen not to their promises!

Now, let fair-minded men, without regard to party, repel the charge that the white people of Virginia raised the race issue.

A. There is not in that an allusion to black or white in any way. It appeals to them as true Republicans and as poor men to fight for their freedom, but it does not appeal to them as black men or white men.

Q. Then you understand that the poor white men were in danger of losing their ballot too?—A. I regarded the Bourbon party as the worst enemy the white men of Virginia have ever had.

Q. Is it true that the Coalition party was a poor man's party?—A. Yes, sir; and it is also true that but for the money of the Bourbon party, which it has in vast preponderance, they would never have to make the fight.

Q. Do you know of any money having been sent from Washington for the use of the Readjusters?—A. No, sir.

Q. Do you know of any being levied on the office-holders in the State of Virginia?—A. I know nothing whatever of that, if it was done.

Q. You heard it was done, did you not?—A. I heard more from the Bourbon papers than anything else that it was done.

Q. That assessments were levied upon the office-holders in Virginia?—A. That is false, I am satisfied.

Q. You saw the statement made, did you not?—A. I saw it in the Bourbon papers. I saw it also said in the papers that I said that John Brown was a better man than any Bourbon in Virginia, and that was a lie; and I had got to be rather incredulous about what I read in Democratic journals in Virginia.

Q. There is a Straightout Republican party in Virginia, is there not?—
A. No, sir.

Q. There is not?—A. No, sir. There is a party there that is a Straightout; a fellow by the name of Dezendorf.

Q. What has become of the Republican party in Virginia?—A. The Republican party of Virginia is now, I hope and believe, united with the Readjuster party for the purpose of extirpating Bourbonism.

Q. Then there is no old-fashioned Republican party in Virginia?—A. No, sir; I don't think the old-fashioned Republican party exists, but it is a new-fashioned Republican party that exists there. Every old Know-Nothing is running with the Democratic party. You came there to teach us debt-paying and Democracy when you had repudiated your own debts and were a Know-Nothing.

Q. I beg to say that is not a correct statement.—A. It is proximately.

Q. No, sir, it is not proximately; I made some speeches in Virginia for the Democratic party, but I expressly declined to say one word about your State debt question, alleging that it was a matter of entire State interest, and I only appealed for the Democracy of the State of Virginia in a national point of view.—A. You were a North Carolina Know-Nothing and a National Democrat.

Q. I was a Democrat, and any man that says that I interfered with the debt question of Virginia does not tell the truth.—A. I hope you don't mean to be rude, governor.

Q. I do not mean to be rude, Mr. Wise, but I only want to repel that intimation that you made once before.—A. I only want to say that you made a very strong speech for Mr. Daniel. I was speaking for Cameron, who was a Readjuster, and you were speaking for Daniel.

Q. I think you are mistaken; that was in the campaign of 1880.—A. I beg your pardon if I am mistaken in the year. We met at Harrisonburg, and I remember you were speaking for the Democratic party of Virginia.

Q. Certainly, and if you had inquired of any dispassionate man you would have found that I said I sympathized with the Readjuster party of Virginia on the settlement of the debt question.—A. We have not called for sympathy.

Q. I know, and if that is the kind of sympathy that killed your party last fall, I hope you may have more of it. But that is all aside from the question. You have taken several opportunities of making personal flings at me which I think you are not justified in doing.—A. Certainly they were not ill-humored. I never intended to be rude; I can say that.

Q. It is well known that I was at one time a member of what was called the Know-Nothing party. I have never denied that. It is also well known now that I am where you used to be—that is, a Democrat.—
A. Never; I never was where you are.

Q. You never were a Democrat?—A. I was a Democrat, but when Democracy means negro killing I am not one.

Q. Well, I have never killed any negro myself, and I hope you never have.—A. No, sir; and I hope you will never be the apologist and defender of them.

Q. I have always been the defender of my own race when it comes into conflict.—A. And so will I. Whenever there is a legitimate conflict between the whites and blacks, as sure as God made me white I will be with the whites; but whenever I see the whites making a false issue I intend to declare war to the knife and knife to the hilt upon them.

Q. Do you think that the great majority of the Democratic party in Virginia had anything to do with this fight in Danville?—A. No, sir; but the great majority of the Democratic party of Virginia, unless they had been deceived and inflamed and infuriated to it would have reprobated this thing as much as I do, and I believe that the campaign pursued by the leaders of the Democratic party was the cause of it.

Q. You believe that that was the cause of it?—A. And I have no doubt that thousands of that party have been driven from it by the outrageous campaign that was waged. The people of Virginia are a conservative people and a brave people, and no conservative and no brave people would ever descend to the methods of the last campaign, or sanction them.

Q. Then they are neither brave nor conservative.—A. Who?

Q. The people of Virginia.—A. Yes they are; but they were deceived and lied to and practiced upon by a gang of scheming politicians who had no hope of being rehabilitated save by a false race issue.

Q. I think I understood you to say, or rather to admit, that there was a great deal of vituperation on both sides.—A. Undoubtedly there was. "E'en the poor wren, the most diminutive of birds, will fight, her young ones being in the nest, against the owl," says Shakespeare.

Q. Do you think the occurrence of Danville was the cause of the defeat of the Readjuster party in Virginia?—A. I have not any more doubt of it than that I am sitting here. It was represented all over the State as a negro uprising, and men were caught by the collars and asked, "Are you a white man or a negro? Don't you see the negroes are putting us to death? Now is the time to decide whether you are a white man or a negro."

Q. Is that result produced by the intimidation of the black race by white men?—A. It was produced by lying to the white men.

Q. You may have it that way if you desire, but I want an answer to my question, if you please. Not as to the means that were employed, but were the negroes by the Danville riot kept from the polls in the State of Virginia, or were the white people incited thereto to go to the polls?—A. Danville speaks for itself immediately. Now see: In Danville in the vote as between Massey and myself I received 841 votes, and he received 663. In 1883, at the election that occurred three days after the riot, there were but about twenty-seven negroes, I think, voted in the whole of Danville. I need not answer your question, therefore, as to Danville. I do not think the negroes of the State generally were intimidated, nor do I think that was the calculation. The Danville riot was not used to intimidate negroes; it was used to intimidate and deceive white men. The circular was addressed to the valley and the southwest, where it was distributed. The minds of those people were prepared for just such a thing as this by the circular. It was not used about Danville, or the black section; so when the killing occurred the facts, as will be shown here by telegrams, were sent forth representing it as a negro uprising, to tell these ignorant whites in remote districts that the negroes were on the war path; that they were tomahawking and scalping these whites. Telegrams came, "Save us; here we are standing in our doors with our guns in our hands to protect our wives and children from the negroes."

Q. Have you any extracts from newspapers, saying that?—A. I have a publication of saying that telegram was received there.

Q. Was not that praying them to save them from negro rule, not massacre?—A. No, sir. "Here we are standing in our doors with our guns in our hands to protect our wives and children from the negroes; we

cannot vote; if you don't vote, we are irretrievably lost. It was represented everywhere, and used as a negro uprising, and an appeal was made to the white men that now was a war of races, when they must decide for themselves whether they would side with the whites or blacks.

Q. Do you think that reached all over the State in those four days?—

A. I not only think it, but know it; I know that all over the valley—I have circulars printed in Waynesborough and the southwest, and they were sent out by riders of the Democratic clubs, out into the mountains, and a man that had not been out of his county for twenty years was astonished by the news that the negro was killing the white people at Danville, and now was the time to come out.

Q. That, I suppose, you have no personal knowledge of; that is hearsay.—A. That is hearsay, undoubtedly; because I was in Richmond.

Q. I will ask you if the vote of your party was not greater at the last election than it ever had been before?—A. Yes, sir; the vote of the State of Virginia was 70,000 more than it had been before.

Q. Of which increase you received how much?—A. The vote for Cameron was 113,000, and our vote last time was 126,400. The vote for Daniel was 100,000, and the aggregate vote of the Bourbons last time was 144,000.

Q. Well, Mr. Wise, am I to take the constant repetition of an offensive term for your political opponents as an evidence of a desire for peace that your party exhibited?—A. No, sir; I do not want peace. I do not come with peace but a sword. My war against Bourbonism is as long as life lasts. I do not come here with kid gloves to say what I think of that party.

Q. And yet you complain of violence?—A. No; not of violence at all, but the unmanly, uncivilized, and false canvass, that is what I complain of. Do not mistake me. I do not ask quarter, and do not want any, and do not think I will give any on sober second thought. What I complain of is killing innocent colored men for political ends.

Q. Do you think this circular which I have just read was true?—A. What circular?

Q. The one I have read here, "vote for your freedom; vote for your free schools; vote to save your free ballot."—A. Yes, sir; that is true.

Q. You think if the Democrats carried the election all those things would be lost?—A. Why, governor, the proof of the circular is already at hand. The Bourbon party has already, to-day, placed the ballot in Virginia as a mockery. They have appointed their own commissioners and judges in every county of the State.

Q. Did not your party have all the judges?—A. We did not. The majority of the judges of Virginia were Bourbons at the time of the last election by actual fact, and I am prepared to produce, precinct by precinct, the name and politics of every judge in Virginia, to show that the Bourbon party had a majority in the State, that they had them precinct by precinct, and county by county.

Q. You think, then, that the freedom of this people would have been lost and their schools destroyed?—A. I regard that expression "freedom" as a figure of speech. It does not refer to whites or blacks; but it means this, that up to the time the Bourbon party were ousted the people were under thralldom; it was a political expression.

Q. Then that is not strictly true?—A. No; no expression about your freedom is strictly true, because we are all free, and nobody can take it away from us. A man that would have his freedom taken away from him don't deserve it.

Q. "Do not believe Funder lies and listen not to their promises."

That is a tolerably rough expression to be used to a man's political opponents.—A. Yes, that is rough; but when our party was called the shirtless riff-raff and niggers on every stump we could not help calling the other liars now and then.

Q. Now, what proportion of the taxes does the Readjuster party pay in Virginia?—A. I cannot answer you that question except in a general way. I am satisfied that in large sections of Virginia the Readjuster party pays the great bulk of the taxes. I will take, for example, the county of Tazewell, which is one of the Readjuster counties in Virginia, where I received 1,000 votes to Massey's 300, and the white population is almost solidly Readjuster. We carried the counties of Rockingham, Shenandoah, and Page, the old tenth legion of Democracy, where there are no negroes and the small property-owners pay the taxes. I have no doubt the Readjuster party pays a very large proportion of the taxes, although in a city like Richmond and a city like Danville, where the great majority of the white people and property-owners are Bourbons, the Readjusters pay nothing by comparison.

Q. Well, in a general way, could you state about what per cent. of the taxes are paid by each party?—A. I could not, because there is no tabulated statement of the politics of tax-payers.

Q. Of course not.—A. But I undertake to say that in the counties of Rockingham, Shenandoah, Page, in the county of Tazewell, and in counties of that sort, in Wise, Dickenson, Buchanan, Scott, that the Readjusters pay the majority of the taxes. I will not apply that to Shenandoah and Rockingham.

Q. Still you cannot say which party pays the taxes?—A. Yes; I unhesitatingly say that take the whole State through the Bourbons pay the large majority, but I never heard that our form of Government was a moneyed aristocracy. I thought it was a free Democracy, and I never heard that in time of war a poor man was any less exempt than a rich man.

Q. But in answer to this charge that it was a combination of riff-raff, &c., could you make no allowance for that being a figure of speech as well as the other?—A. Yes, I made allowances for that, but in my experience I confess I became very much embittered for myself personally. I do not claim to be more nor less than mortal, and I think it hard for a man who has lived in the State as I have, and who has tried to live and have lived as honorable a life as any man in Virginia, to have it made a hell on earth, as it has been for the last three years, where no relation of life has been sacred from the breath of Bourbon calumny and falsehood.

Q. But you admit that you have contributed your share to this bitter state of feeling?—A. I admit that I have stood my ground, with my back to the wall and sword drawn, and said that I would cleave the man who came in reach of it from the crown of his head to the sole of his foot; and there I stand now.

Q. Did you hear of any violence whatever on the day of election in Virginia?—A. No, sir; I did not. Richmond was singularly quiet where I was. I had intended to speak in Manchester the night before, but I was warned that there would be a riot, and telegrams came up from Norfolk two hours before the meeting requesting that the particulars of the riot be sent to the Bourbon paper there when it occurred, and I thought I would not go. I did not care about being killed in Manchester. I would not mind dying in some places, but I rather preferred not to die there.

Q. Did you see those dispatches?—A. I have them.

Q. Those that were sent up from whom?—A. From the editor of the Norfolk Virginian, and not only that, but they had a procession after their victory, in which they had a transparency, "It is a Wise man that knows when to come to Manchester." It was all arranged. I have no doubt we would have had a very disgraceful scene if I had gone over there.

Q. Did you hear of any weapons being displayed in Virginia on the day of election at the polls?—A. No; I was at one precinct in Richmond where there were twelve policemen; in the black precinct; the Jackson ward. I had a weapon that day; that is the first time I carried a pistol for many years by day, I think. I did not know what was going to turn up, and I did not want to be shot without having some share in the sport. It was singularly quiet in Richmond. The people of Richmond are a very well-behaved people, and it is a very orderly town. There is a great deal of political bitterness, but it is not a violent place at all. It is a very decent community; no better anywhere. You never hear this sort of thing there.

Q. You say you have those telegrams?—A. I have not got them here. I have them so I can produce them if you want them.

Q. I will be obliged if you will produce them.—A. I have a statement here of the occurrence from the editor himself, who admits that he sent the telegram, but he claims he heard it from a man who came down on the Chesapeake and Ohio train from Richmond. I will produce them. I have got the printed account, but not the telegrams.

[From the Norfolk Virginian.]

On Monday night, November 5, a gentleman who had left Richmond in the afternoon of that day by Chesapeake and Ohio Railway, called at the office of the Virginian about 10 o'clock, and asked if any news had been received from Richmond. He said that when he left Richmond there was a great deal of excitement on account of an expected difficulty at Manchester, because of the report that Capt. John S. Wise proposed to go to Manchester at the head of the procession of negro Coalition clubs, in order to address a meeting at that place. [What egregious nonsense.—*Whig*.] We immediately telegraphed our correspondent:

"Understand disturbance and riot expected in Manchester to-night if John Wise speaks. If any, send particulars as early as possible."

We received in reply, in connection with other news items, the following:

"There is no chance for a row in Manchester, or anywhere else to-night, apparently."

We have no disposition in the world to question this statement, and we give it place to speak for itself. However, both on Saturday afternoon and Monday night it was the subject of much comment in this office how anybody in Norfolk was so well apprised (apparently) of matters of which we had just received a rumor, in one case, and of which we had not heard at all, in the other.

Q. You used an expression, I believe, in reading your extracts, about the malign influence of the papers?—A. Yes, sir; that is Mr. Keiley's address.

Q. I ask you if that was not a quotation?—A. No, sir; I have not designed to put it in as a quotation. I am not aware that that was a quotation, and I don't believe it was [examining extract]. No, sir; it is not a quotation.

Q. I will ask you if that is not well understood to have been the language used by Mr. Cameron, now governor, while he was editor of a newspaper at Petersburg, toward Mr. Mahone?—A. I don't think that that is so. I think you are confounding two or three different things. Governor Cameron, some fifteen or sixteen years ago, was editor of a Petersburg paper, in which, in a sentence about a railroad fight, I recollect he said, "A malign influence has operated upon the railroads of

this State," but in this it says, "A malign influence has drawn the color line openly and plainly." Now, the expression of a "malign influence" in regard to a railroad was used by Governor Cameron. Anybody can speak of a malign influence, but in this connection Governor Cameron certainly never used any such expression.

Q. I will ask you, though, if that was not a phrase that had been accepted by the public and used without quotation, as we quote from Shakespeare or Milton?—A. Not at all. There was a railroad fight and Cameron was opposed to Mahone, and he referred to Mahone as a malign influence, and I have heard that thing quoted.

Q. Now, was not that expression used there toward the same man, meaning the same man, "a malign influence?"—A. I cannot attempt to be the interpreter of the Bourbon party; that professes to be a party that cuddles negroes with one hand and cuffs them with the other; a party that is debt-payer one day and head of repudiation the next; that boxes the political compass on every occasion, and does not hesitate to stultify itself on any, is certainly beyond my finding out. I know they intend this: I know they mean to get all the offices they can, and hold on to them as long as possible.

Q. I asked you a simple question, to which you might have said yes or no, and you have given us a stump speech.—A. Yes; but stump speeches are good sometimes, governor. I have heard you make some excellent ones.

Q. I think so.

By the CHAIRMAN:

Q. You said something about the steps taken by the legislature of Virginia recently to defeat the freedom of elections and equality, &c., or rights; what steps do you refer to?—A. They have adopted an electoral commission scheme. They have three men of the selection of this legislature in every county, and those three men are to pick out the precinct judges. You observe that a partisan caucus of a partisan legislature selects partisan commissioners, and partisan commissioners are going to select partisan judges in each county, and by the time they get done by this arrangement they will have any sort of a vote they want.

Q. Are these three men selected in each county?—A. I saw a list of them in to-day's Dispatch.

Q. Are they all Democrats?—A. In the whole State I recollect two Readjusters—Statham, of Lynchburg, and Ross, of Gloucester.

Q. How have they been divided among the parties heretofore?—A. They have been appointed heretofore by the judges and county authorities [?], who are supposed to be more or less unpartisan, whether they are or not.

Q. They are required to be of opposing political parties?

By Mr. LAPHAM:

Q. The law requires that?—A. Yes, sir, as near as possible. In our town, for example, when there was a Bourbon judge, he appointed two Democrats and one Readjuster or Republican. Since we have had our judge he has appointed two Readjusters and one Democrat. Always under that system there is a man there of each side to watch and catch, even if he cannot prevent, cheating. They are passing a law now which allows these Bourbon members of the legislature—and a more violent and revolutionary body never was assembled—they have picked out who shall be county commissioners, and are passing the bill now, and will before they adjourn put the election machinery of the State completely in the power of the Bourbon party.

By the CHAIRMAN:

Q. What other measure is there that you think has a tendency to do what you said, and perpetuate the rule of the Bourbon party?—A. Why they have turned out fifteen members of the legislature; every one members of our party; they have never turned out a Democrat yet. They have turned out every man that was necessary. They have turned out a Readjuster and put John Callahan in the senate without his making a contest, serving any notice, or taking any testimony, in order to preserve the two-thirds.

Q. You spoke of telegrams. I wish you would point out the published statement of the telegrams.—A. I will have to take some time to hunt it up.

Q. I will be very glad to have you look it up.

A.:

DANVILLE, November 5, 1883.

For God's sake help us with your votes to-morrow. We are standing in our doors, shot-gun in hand, *trying to protect our families.*

See these precious morsels from the "high morality dish" (Lynchburg News' supplement), cooked by the Democratic State committee of Virginia, on *Sunday*, the 4th, and served to the people of Southwest Virginia on Monday, the 5th day of November, 1883:

"RIOT IN DANVILLE.

"Mahoneism has worked out its legitimate result in Danville. Riot and bloodshed have come to pass. Inflamed and crazed by the diabolical speeches which have been addressed to them by the Mahone nihilists, *the negroes have precipitated the bloody issue.* * * * But how can those be fittingly characterized who have brought about this hellish business? * * * The horrors of the inquisition would be too good for them. * * * Let the incendiary devils be crushed beyond the hope of resurrection. * * * People of the valley and the southwest, the east calls upon you to come to its rescue; to help beat back the black wave which threatens to roll over it. * * * Arouse ye, and to the polls!"

"DEMOCRATS MAKE IT HOT.

"Make it hot," &c., says Fred. Douglass; and why have not Democrats the same right to 'make it hot' for white men, renegades from and traitors to their race, who vote with the negro party to-morrow?"

And again:

"A RIOT IN DANVILLE.

A negro mob fires on white men."

Q. You spoke something about the constitution giving the colored people equality of privileges.—A. Yes, sir.

Q. You meant political, civil privileges I suppose?—A. Why of course.

Q. Has there been any effort on the part of Readjusters to interfere with social relations?—A. On the contrary, quite the reverse. The social problem is as distinct from the political problem as two things possibly can be. I have never had a negro to presume socially upon my political affiliation with him. I have always treated the negroes as they expect me to treat them. The fact that I agree with them politically does not mean that I invite them to my house socially. I could not do such a thing in Virginia and maintain my social standing, and there is no such condition there. Black members of the legislature have come to consult me as to politics; they go to the kitchen and send up their message and I went to the back yard to see them. There is no such thing as social equality in Virginia, nor can there be under our system. I take it Mr. Tilden does not invite into his parlor in New York all the wharf-rats and Democratic shock-heads who sustain his ticket; nor do they expect it. I have stood in the presence of immense throngs of negroes, where there were very few whites, and asked them the question: "Do you appre-

hend the character of this movement as one which seeks to mingle your blood with the white race? God has made you black and us white, and I take it for granted he understood what he was about when he did it, or he would have made us all yellow. Now I am in favor of leaving God's work as it is, and do you expect it to be otherwise?" The invariable cry was; "No, no, no; we don't expect it and don't want it." I have never seen in my experience in Virginia any effort on the part of negroes to assert social equality; and I will say this for the negro, that it is the humblest, the gentlest, the most tractable and least obtrusive race, in my opinion, under God's round sun to day; and the negroes of Virginia to-day if they had not been harried and badgered for their political affiliation by the Democratic party would not have been banded together. They are herded by the crack of the Democratic whip, and I hope to live to see the day when parties will exist there; when blacks and whites will be divided between the parties; but it never will come while this eternal ostracism exists. It is not worth while for this Congress to attempt to pass laws to punish this thing. The jury system of the United States is such that you only get two ward meetings in a jury box, part Democrats and part Republicans. And it is not worth while for the Government of the United States to send troops down there. The only hope for the alleviation of this is to hold these blackguards and murderers up to public reprobation and make them odious in the eyes of the nation.

Q. Now, there is one other point. I will ask you what is the position of the Readjuster or Republican, or whatever party you choose to call it, as to the rights of the negroes to free ballot and fair count and protection in their civil and political rights? What has been the position of the two parties?—A. The profession of the Republican party has been to desire that every vote in Virginia that was cast should be counted honestly, and that it should be put in without money and without price. They have claimed to be the peculiar champions of that. The other side have always denied and gainsaid it, but attempted to say that they were. But the Readjusters so far have been successful in holding that place in the minds of the colored people.

Q. They would have fair play and equal rights, so far as political rights were concerned?—A. Yes, sir.

By Mr. LAPHAM:

Q. Upon the debt question, is it not the fact that the Democrats have now adopted the precise ground taken by the Readjusters?—A. It is; they are better Readjusters than we are.

Q. Well, they adopted *en masse* the whole financial theory?—A. *En masse*, they have adopted the Riddleberger bill and have passed resolutions declaring it a final settlement. I have a curious piece of inconsistency by General Wickhan. In 1881 he had been a Republican, but came out and said he was for Daniel, because of his views of the debt question, as an honest man, and the Riddleberger bill was a piece of thievery. He went into that party and now he has made a speech on the floor of the senate acquiescing thoroughly in the Riddleberger sentiment.

By Mr. VANCE:

Q. I will ask you if the Democrats do not put their acceptance on the ground of the decision of the Supreme Court of the United States?—A. Ostensibly they do; but I have heard a great many of them say that they have played debt payers until they were sick of that, and would be whipped as long as they were debt payers and were perfectly willing to accept it.

Q. And that is simply ostensible that they put it on the ground of the Supreme Court decision?—A. Oh, yes; they said it was a matter of conscience, and it seems that the Supreme Court has furnished them with a corrected conscience.

Q. Well, there is about as much conscience among those men who wanted to pay it in whole as among those who repudiated it?—A. Yes, I suppose they have struck a general average; they paid about \$20,000,000.

Q. Let me ask you one question about this new law relative to the method of conducting elections; does the law change the method or just the appointing power of the judges?—A. It changes the method.

Q. Of the election itself or of the appointing of the judges of the election?—A. It changes the source of the electoral machinery.

Q. Where was it under the old law?—A. In the possession of the judge; but he was directed how to appoint the judges.

Q. Who appoints the judges of election now?—A. Three commissioners of the county.

By Mr. LAPHAM:

Q. Selected by the legislature?—A. Selected by the Bourbon caucus of the legislature.

By Mr. VANCE:

Q. With reference to the action of the legislature, which you have criticised to some extent, I will ask you if it did not seat Mr. Callahan?—A. They did.

Q. What is he?—A. He is as pure and simple a Bourbon as any man in Virginia, but he is sailing under the false colors of Republicanism.

Q. Well, he calls himself a Republican; you say he is?—A. Yes; he might stick a feather in the back of his head and call himself a bird of paradise, but that would not make anybody believe it.

Q. He has claimed to act all the time with Republicans?—A. No; he has acted with Dezendorf.

Q. Does not Dezendorf claim to be a Republican?—A. Yes, sir.

Q. Does General Wickham?—A. Oh, yes.

Q. Now, in the Norfolk district were there not some Democrats put out?—A. Yes, sir; we elected two members of the house, and they turned them out.

Q. I say, was not a Democrat turned out?—A. No, sir.

Q. From the Norfolk district?—A. No, sir; who was the Democrat who was turned out?

Q. I don't know; I ask you the question.—A. No, sir; nor any one else; there has not been a Democrat turned out by this legislature.

Q. Was not there a Readjuster seated from King William?—A. No, sir; he had the certificate and was seated, and the man made a contest, and the only reason in God's world he was not turned out was that the man had not taken his depositions in time, and upon examining they found two other cases where our men had not taken the depositions in time, and they thought they would turn out two and let one stay.

Q. On however ridiculous ground, they decided in favor of the Readjuster, did they not?—A. Yes, sir; it was not any contest. Nobody thought anything of it.

Q. Did they not do the same thing with reference to the member from Gloucester?—A. Yes, sir; the man made a contest, but I suppose there is a limit to everything; those were such flimsy and absurd cases, and they had enough besides to turn out.

Q. At all events, in those cases, however contemptible the excuse, the men were not unseated?—A. No, sir.

WASHINGTON, D. C., *March 4, 1884.*

Hon. J. A. WISE recalled.

The CHAIRMAN. You have stated to me that you desire to change your testimony in regard to one paragraph, which I will now read as it is written out by the reporter, and let you make your statement of corrections as you see proper. As reported you say:

The fact that I agree with them politically does not mean that I invite them to my house socially. I could not do such a thing in Virginia and maintain my social standing, and there is no such condition there. Black members of the legislature have come to me to consult me as to politics; they go to the kitchen and send up their message, and I go to the back yard to see them.

Now you can state any explanation you wish.

The WITNESS. I wish to say, in regard to that, without raising any point with the reporter upon the question, because I do not consider it material, that if I was represented as speaking in the plural the statement is incorrect. The reference that I made was to one individual, and the purpose of the illustration was to show that their being in official position did not turn their heads or make them demand more than when they were in private life. The instance that I referred to was this: My cook is the mother of a colored member of the legislature, and he came to visit her, I suppose, and I received a message that he wanted to see me. I went down to see him as described, and talked politics with him.

I wish to add to that statement that my testimony has been misapprehended in so far as it has been construed as attempting to make any reflection upon the colored people. They all know, and know very well, that, both officially and personally, my conduct has always been deferential and considerate with them.

Mr. LAPHAM. Your object was to show, if I understood you, that the blacks did not claim the right to ordinary social equality?

The WITNESS. Exactly. I wish to add moreover that, immediately upon reading the report of the testimony I saw the misapprehension that it was calculated to excite and came down here for the purpose of making my testimony conform to what I intended to testify, and the idea I intended to express. I have noticed that that has been represented as some effort to cook the testimony, and I am perfectly willing to stand upon the statement of facts with all the odium that the other side can make out of it.

Mr. VANCE. Mr. Wise, in the National Republican, of this city, on Wednesday morning, the 27th, a reporter says that you acknowledged to him that the official report of your testimony was correct. Is that statement correct?

The WITNESS. No, sir. The reporter called to see me at Chamberlain's, where I was. He said that the National Republican had sent him to inquire whether I wanted to make any statement in regard to my testimony. At that time I had not heard that there was any controversy or excitement about it, and I said, "No, I do not." He didn't explain anything. And I said I suppose that the official testimony there will show what I said. I desire, however, to add in that connection that in looking over my testimony there are numerous errors of expression in other places, and it is the case in every report. I think there are not less than twenty places where, to make sense, I found it necessary to insert a word where words are missing. But at the time he asked me this question I hadn't seen—indeed the reporter had not written out his notes at all. But I didn't want to be interrupted at the time, and used the expression, "I suppose the reporter's notes will show what I said."

The reporter's notes, when I examined them, did not convey the idea which I wished to express.

Q. When did you see your notes and ask the reporter to make the correction?—A. I think it was on Wednesday morning. It may have been Thursday morning, because I never heard that there was any controversy as to what I had said until that time. The reporter had not written out the notes. The first that I saw of the testimony was when he wrote it. I think he wrote it out on Saturday. It was a very long testimony. When I testified I expressly asked the reporter to let me see my testimony as soon as he wrote it out and let me incorporate into it the tables and statements which I made, and that was the understanding from the beginning.

Q. One more question, I believe, is all I want to ask. How are we to understand you in relation to this correction? Do you say that the original statement which the reporter has is not what you said or that it is not what you wished and intended to say?—A. I say this: I don't care to make an issue with the reporter as to whether he took my exact words or not. I say that I don't believe he did. At the same time, pursuant to what had been the understanding from the moment that I testified, what he wrote down could never be my testimony until I had revised it, for the reason that before I spoke a word, as the reporter will inform you, I told him I desired to revise the testimony, to put in the tabulated statement, and that was the understanding.

I wish to add to that that I published a statement, which did not purport to be a copy of my testimony at all, or quotation; it was a general recital of the tenor of what had occurred.

The CHAIRMAN. Perhaps I ought to say, in justice to Mr. Wise and myself, that when he first applied to me, I think it was on Thursday or Friday, I——

The WITNESS. It was Thursday, I believe.

The CHAIRMAN. Yes. When he first applied to me I told him I thought he should be allowed the usual privilege of a member of Congress to revise his testimony in a matter of form, &c., but I didn't feel disposed to act upon it without the consent of the committee, and he then dictated what he wanted to say and what he wanted substituted, and I spoke to Governor Vance about it, and upon the suggestion of Senator Vance I concluded to put in what the reporter had given as your testimony, and allow you to make the correction and have both go together.

The WITNESS. The reporter will remember, doubtless, that from the beginning I expressed a desire to revise my testimony and put in the documentary evidence I referred to.

Mr. VANCE. Do I understand you, Mr. Chairman, to say that a member of Congress who becomes a witness before a committee is entitled to any privileges that any other witness is not entitled to?

The CHAIRMAN. No; but what I say is, it has been usual in all examinations that I have participated in, and in one or two in which I have been a witness, to allow a member of Congress to look over and correct phraseology or grammatical expressions; and as a member of the committee I have allowed that to be done, although as a matter of strict right, the ordinary way is to take the testimony as it has been given, and let the witness correct it afterwards. I will say that this course has been frequently followed by the Committee on Finance and other committees on which I have served, as a matter of justice to all witnesses, not only to members of Congress, but to others.

Mr. VANCE. Your experience has of course been greater than mine,

and we might consent that any witness might correct a mere verbal inaccuracy, but where it was a change that changed the meaning in any way, it is necessary to come before the committee to correct it.

The CHAIRMAN. I will also say that when I was Secretary of the Treasury I was frequently summoned before the House and Senate, and I was allowed to take the testimony and examine it and revise it so as to be exact. That was not only for my protection, but for the protection of the Department.

Mr. LAPHAM. The rule in chancery was this: when testimony was taken "the foregoing being read to the witness he desires to state by way of explanation," and he made all the corrections he wished to make so as to have his final testimony express what he designed to say. That was the common law rule, well settled.

The WITNESS. I would like to add there one sentence. In so far as my testimony is sought to convey the impression that I made a discrimination between colored and white members of the legislature as a rule in their communication with me, it does them and me injustice. I have always treated an official call upon me by whomsoever made without any discrimination whatever, and always expect to do so.

J. D. RAULSTON sworn and examined.

By the CHAIRMAN:

Question. What office do you hold in the Government of the United States?—Answer. At present I hold the office of collector of internal revenue.

Q. Since when?—A. Since the first of March, 1883.

Q. How long have you lived in Danville?—A. I have been in Danville about seven years.

Q. Are you a native of Virginia or from the North?—A. I am a native of New York.

Q. When did you first move to Virginia?—A. In 1865.

Q. Have you been identified in interest, in property, &c., with them since; did you marry there?—A. I married in Danville. I have been a resident of Virginia constantly since 1865, was engaged in mercantile and manufacturing business in Petersburg, Va., for ten or twelve years, and have been a constant tax-payer and bona fide citizen of that State.

Q. You went to Danville about six years ago?—A. Yes, sir.

Q. What was your business in Danville before you became collector; were you engaged in mercantile business there?—A. No, sir; I was never engaged in any mercantile business in Danville. I was deputy collector there.

Q. As such, did you become well acquainted with the people of that vicinity?—A. Yes, sir.

Q. I will ask if you at any time became a member of the municipal government of Danville; if so, when?—A. I was elected a member of the common council in May, 1882; that council went into office on the first of July following.

Q. Now, I wish you would look at what is called the Danville circular, and with your knowledge of affairs in Danville point out any false statements or errors or exaggerations contained in that circular. Just take them in your own way in the order in which they stand and point out such allegations as you think are false.—A. I have read the circular with some care, and find in it hardly any truth at all. I will go through the statements briefly. The first paragraph:

We, the undersigned, of the merchants and manufacturers and mechanics of the town of Danville, Va., earnestly request that you will permit us to lay before you a

few facts from which you can form some idea of the injustice and humiliation to which our white people have been subjected and are daily undergoing by the domination and misrule of the Radical or negro party, now in absolute power in our town, and under the leadership of William Mahone, seeking to extend and perpetuate its power all over the commonwealth.

In answer to that, and as to its being under negro rule, I desire to present the list of the names and politics of the persons who were elected in that election.

Q. That is the election of 1882?—A. The election of 1882.

Q. That council is still in existence?—A. No, sir; I will explain how it came to be elected. If desired I will give the names.

Q. You had better give the names.—A. There was elected at the election of May, 1882, for mayor, John H. Johnston, an Independent in politics, pretending to belong to neither party. James Wood, sergeant, an Independent, as he has voted with both and has run on both tickets; that is an office corresponding to that of sheriff. William Rison, clerk of the court, Democrat. Thomas Hamlin, commonwealth attorney, Democrat. William E. Boisseau, commissioner of revenue, Independent. P. R. Jones, treasurer, Democrat. Walter Luck, justice of the peace, Coalitionist. Wesley Jones, justice of the peace, Coalitionist. W. P. Robinson, justice of the peace, Democrat up to that time.

Q. State in regard to those persons when you come to them any that are colored.—A. Only one was colored whose name I have reached, and that is Wesley Jones. Members of the common council: J. D. Blair, Democrat; Albert Gerst, Democrat; John C. Goarrent, Democrat; T. N. Jordan, Democrat; R. A. Arrington, Independent; E. J. Beckner, Independent, elected by Coalitionists; John S. Robertson, Democrat; J. R. Raulston, Coalitionist; D. F. Batts, colored, Coalitionist; Pires Lipscomb, Coalitionist; J. W. Payne, colored, Coalitionist; W. W. Swan, colored, Coalitionist; making a total, as will be seen, of 8 Democrats. That is, the common council is composed of 8 white men; 4 were declared Democrats, 3 had been generally known as Independent, but were put upon the ticket by the Coalitionists, and therefore so far as I know members of the Coalition party, 1 white Coalitionist, and 4 colored Coalitionists, so that the council stood 4 Democrats, 3 Independents, and 5 Coalitionists. I will say that one of these Democrats was upon the Coalition ticket also. This common council elected as its president, with power to appoint all the committees, J. D. Blair, a Democrat; Albert Gerst, president *pro tempore*, a Democrat; John A. Smith as clerk of the council and auditor, Coalitionist; Dr. Paulus Irvin as city physician, a Democrat; C. A. Ballow, city engineer, Democrat; J. D. Blackwell, city attorney for six months, Coalitionist, the remainder of the term R. W. Peatrof, Democrat; Benton Fields, colored, clerk of the market, Coalitionist; Squire Tolliaferro, colored as scavenger, Coalitionist; George Watson, clerk of the water committee, a Democrat; John C. Cox, chief of police, Coalitionist. The police force consisted of 9 members. The chief of police, whom I have just mentioned, was a Coalitionist; that left 8 privates, of whom 4 were Democrats and 4 Coalitionists, one of the Coalitionists only being a colored man, making 1 colored man out of the 9 policemen. There was 1 keeper of the white cemetery, Coalitionist; 1 keeper of the colored cemetery, Coalitionist, colored; R. W. Boisseau, constable, Democrat, making the total number of officials in the city, under the organization of that administration of municipal affairs, 44, of whom 20 were declared Democrats, 6 were Independents, 18 were Coalitionists, 35 were white, and 9 were colored. I will say that in the organization of the council under this administration there was appointed

by its president: chairman of the finance committee, a Democrat; chairman of the gas and water committee, a Democrat; chairman of the street committee, a Democrat; I mentioned these as the three principal committees, as most important; the other chairmanships were divided miscellaneously; but the majority of all the chairmen were Democrats. I state this to explain the status of the common council; it is alleged here that it is now absolutely under Radical rule.

Q. Was that a majority of the officers, and an effective majority of the committees of the council were practically Democrats?—A. Yes, sir.

Q. And they had the control?—A. They had practically the control at all times of the city government. "Now in absolute power in our own town, and under the leadership of William Mahone seeking to extend and perpetuate its power all over the commonwealth." I will say that I have good reason to believe that General Mahone knew nothing about even the political complexion, had no knowledge whatever of our municipal affairs. I have no reason to believe he had the slightest knowledge of it.

Q. Did he ever offer to interfere in your affairs in any way?—A. He has never been in Danville to my knowledge.

Q. You, as a member of the council, would have known it?—A. Yes. I have met General Mahone in Washington and other places, but have never heard him mention the municipal government of Danville. Next it is stated:

By the census of 1880, Danville contained 7,526 persons, of whom 4,397 were colored and 3,129 were white. The population of the town has increased greatly since that time, and the proportion between the number of whites and blacks has also increased, there being a much larger proportion of blacks now than in the year 1880.

I believe that paragraph is true. I believe the colored people have had a majority in that town for many years, and it was entirely in their power in the exercise of their right, if they had chosen to elect every officer in the town, but there never has been a time when they have chosen to exercise any such power.

By Mr. LAPHAM:

Q. Have they ever attempted it?—A. No sir. The next paragraph says:

The taxes actually paid by the inhabitants of the town for the year 1882, upon property, exclusive of license taxes for its corporate uses, exclusive of taxes paid to the State, amounted to over \$40,000 in round numbers, of which only \$1,206.63 were paid by the blacks, making \$38,894 more of money paid for the support of the town by the white people than was paid by the negroes. Out of the total sum derived from taxation upon property, \$2,000 were appropriated to the education of the negro children of the town—a sum, it will be seen, \$794 more than the entire amount of tax paid by the whole negro population. So it appears that the negroes of the town do not contribute one single dollar to the use of the town, towards paying the interest upon its corporate debt, the improvements of its streets, the maintenance of its public works, the pay of its officers, and its incidental expenses of government. But, on the contrary, every dollar, and much more besides, paid by the members of that race in the nature of taxes is returned to them and applied to the education of their children.

I will say of this paragraph, that it conveys an erroneous statement of affairs. It misrepresents facts in this that the colored people pay their share of the taxes into the general fund. I have a list of the colored people and white which shows the exact amount of taxes paid by either, but every one of the colored people in the council was the owner of real estate that have paid their taxes as other people had and it goes into the fund. They don't pay the tax as a school fund separately. I have here the official report of the mayor, for the year ending 1882, show-

ing that there was expended for schools in the town of Danville \$3,015.10. It is alleged in this statement that two thousand of that was paid for the colored schools. It has never been the character of the legislation in that section that the colored people got even half, much less two-thirds of the proportion for the schools. I know that during the time of the administration of this council there were expended for the schools, or for the improvement of school property rather, an appropriation of approximately \$30,000, of which \$23,000 was expended in improving the school-houses that the white children attended and only about five or six thousand upon the colored school. I will say it was the intention further on to make a like improvement in the colored school but preference was given to the white and every improvement made upon their school-houses first although the chairman of the school committee was a colored man.

Q. I will ask you if the great body of the laboring men who do the factory work is not generally all colored people?—A. Yes, sir.

Q. And do they not indirectly pay the taxes that are paid by the white people by giving them the means to pay taxes with?—A. Certainly.

Q. The effect of their labor, is to give value to the factories, and all the property on which they labor?—A. Yes, sir.

Q. And the white people have acquired wealth, and it is the labor of the colored people that produces all this wealth, is not that so?—A. It is especially true of Danville, a manufacturing town.

Q. They do all the work in the tobacco factories, do they not?—A. Yes, sir.

Q. Are there any white men employed in the factories?—A. Only as managers and supervisors, not as laborers. The next paragraph states:

Up to the session of the last legislature the town was not divided into wards but voted as a single precinct; and in that way the council was generally kept in the hands of the white people. But the negro party, desiring to get complete possession of the town government, that they might share in the offices as well as levy upon the treasury of the whites whatever they thought proper, applied to the legislature and obtained an amendment to the town charter requiring that the town should be divided into three wards, and that four councilmen and one justice of the peace should be elected from each ward. From the localities in which the negroes had herded themselves, it was totally impracticable to so run the ward lines without creating two wards in which the negroes had a large majority, and this they and their white leaders knew. The result was that they elected seven out of twelve of their candidates for the council and their candidates for justice of the peace from each ward.

You see the fallacy of this is apparent in the first paragraph. If it was true that the colored people, with the Coalitionists, had a majority in the entire town, and voted in one precinct, it could not have been to their advantage to divide the town into wards, in such a manner, that by any possibility the other party could have got either of them, because they could have elected the whole at one precinct. It is true though that the colored people and the Coalitionists were not responsible for the division of the town into wards. The measure was adopted by a previous common council; a Mr. W. T. Clark, the first signer of this circular, offered a resolution in the previous council, Democratic, of which he was a member, urging that the members of the legislature from that district be urged to secure the passage of an act by the legislature dividing the city into wards, and that was unanimously adopted by that council, and urged and conducted throughout by the Democrats, the Coalitionists having no organization or undertaking in connection with it whatever.

Q. Then the statement that this was a scheme of the Coalitionists was false?—A. Entirely untrue.

By Mr. LAPHAM:

Q. Before passing that, and when the town was all one precinct, was not the vote too large for convenience for voting, was not the division necessary by reason of the large vote?—A. Oh, yes; and I think the adoption of the ward system is a much better one. I only say that the inference created by this paragraph that it was a scheme of the Coalitionists is not true. I will approve that paragraph, but I find no truth in it as it is.

Then began the deeds which have so humiliated us in our own estimation, and made our town, once so noted for wealth and enterprise, a byword for shame and reproach from one end of this land to the other. Wherever it was possible for anything to be done by the council or its magistrates that would irritate and wound the pride of the whites it was executed with the keenest relish.

I have never heard of any such action or intention on the part of the council, or any member of that administration. Indeed I will say that from the beginning until now I have never yet heard of one single specification of injudicious extravagance, or unwise legislation, or of any action of that common council save the one act of electing for the first year, electing one colored man on the police, and the second by the electing of two colored men.

By the CHAIRMAN:

Q. That was the only point of objection ever made?—A. That is the only one I have ever heard from any source as to its conduct of its municipal affairs by the common council that they had one colored man for the first year; but here is the way they represent it:

Out of nine policemen—

It is alleged here—nine, the number is correct—

four negroes were chosen—

The fact is that for the first year one negro was chosen, and for the second year two negroes were chosen out of nine—

two of them acting not only as policemen, but one *as a health officer*.

That is not true that we have elected a health officer from the colored police. The health officer is Dr. Irving, a white man, and a physician.

Q. Then there were not two elected out of the nine?—A. No, sir; there was but one elected out of the nine. And the other is weighmaster at the public scales, and clerk of the market. Now I will explain that that possibly is what is called here the health officer. He must be, before he can occupy that position, a physician in good character.

(The committee here took a recess and reassembled at 2 o'clock.)

By the CHAIRMAN.

Q. You will please proceed Mr. Raulston.—A. I stated that out of the nine policemen it was alleged that four were negroes. This is not true. For the first year one was chosen; and the second, two. It is said that two of these, one was elected as health officer, which is not true. The other weighmaster and clerk of the market. I will say that the clerk of the market, who is nominated in the council for the office to which he is selected, was nominated by one of the Democrats and that neither he nor the scavenger I suppose may be alluded to as one of the colored policemen; they are not policemen in the proper sense. It is true that in connection with their office it has been the custom to give them police powers, so far as the duties of their office are concerned, but they don't serve warrants, stand in watch, answer to the call of the mayor, or in

any respect perform the duties known as duties of policemen. It is stated that, "Out of the 24 stalls, and stands at the market, 20 are rented out by the council to the negroes." The ordinance of the town required that the stalls and stands in the market shall be put up at auction by the committee on market and hay scales, and shall be rented at auction, and at such auction white and colored and all other classes have an equal opportunity.

By Mr. LAPHAM:

Q. They are rented to the highest bidder?—A. Rented to the highest bidder, and no partiality was shown by the council or committee in this particular.

Q. None could be, could there?—A. None could be.

The scenes about this important and attractive institution (attractive in all cities) will give any person visiting the town a fair idea of the general state of the government under the negro rule. The market, once occupied in all its stalls by polite white gentlemen, with their clean, white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves. The white men have been driven out and forced to take up private places for vending their meats and vegetables, and the public market, erected by the money of the white people and intended to be occupied by men at least courteous and cleanly, has been converted to the use of squalid negro hucksters, and presents a spectacle of loathsomeness positively repulsive to any person who has the least idea of how a market should be kept.

I will say that I have visited many cities and many markets, and I have never known one better kept than that of Danville, so far as my observation goes. It is thoroughly swept and cleaned—washed with water—the stalls and ground. This was required to be done by the clerk of the market, who had supervision. I am informed by the clerk of the market that his records show that during the time the Coalitionists are charged with being in charge of the council, from July, 1882, up to the 3d of November, 1883, that there were as many white butchers as there ever were at any time before, and all the butchers in the market who had butcher stalls were white, the colored people having a majority of the stands for the sale of vegetables.

Q. That paragraph, then, you characterize as wholly a misrepresentation?—A. Wholly a misrepresentation of the facts.

Q. And wholly unjustifiable?—A. Unjustifiable entirely.

Q. Let me ask one question before passing that. Is there any point upon which that circular could have spoken, better calculated to produce excitement than a statement of that character?—A. Probably not, because the market is an institution patronized and attended by many citizens of the town—nearly all. They go there to get their supplies, and a market to be kept in that condition, as it is represented here, would be an outrage upon the community, and if these facts were true the community would be outraged.

Q. The health and comfort of the community are involved in it?—A. Yes, sir.

The whites of the town are powerless to prevent this outrage upon their rights.

In the first place, I allege that it was no outrage; no outrage existed. As to their power to prevent it, the majority of the officers of the town were white, and there was no legislative power in the town, except four colored men against eight white ones.

Q. All the capitalists would have to do to obviate that, if it were so, would be to overbid the colored men?—A. That is all.

The council, which has the power of regulating the conduct of the market, is presided over by a carpet-bagger—J. B. Raulston—Mahone's collector of internal revenue for the Danville district, and the patronage of his Federal office enables him to control the council with the same undisputed power that the general does his party. Raulston is exceedingly offensive to the white people, and it is well known he takes no pains to carry out any of their wishes. Two of the negro members of the council hold positions under him at the custom-house, and they are as obedient to his will in the council as they are in the revenue office.

As this alludes to me, as to exactly what estimation these people hold of me, I can only say that, prior to my connection with the Coalition party, I had the honor to be recommended for a very high office, which was signed by almost every business man in town, and my merits were set far above my own estimation of them, and I am sure that personally I have never heard a word said against me. As to being Mahone's collector of internal revenue, General Mahone had very little to do with my being collector of internal revenue. I am informed that I was recommended for that position by the Commissioner as being in the line of promotion in my district, in which I had served as a deputy. I was a member of the council before I became collector, or had any patronage whatever to dispense. The two members of the common council colored were employed by the internal revenue office; were both members of the common council before they were employed in that office. One of them is a clerk competent and efficient, and considered an educated man. The other was not in the internal-revenue office, but held a position as one of the assistant custodians. He was janitor, so designated, and his duties were to supervise the general current of the building and to oversee the labor that was conducted in the building, such as the messengers, firemen, and other laborers.

Q. By whom was he selected?—A. He was designated by me and appointed by the Secretary of the Treasury. Both of these men I will say were members of the common council before they were employed in that office, were both bona-fide citizens of the town, and both, I am informed, owners of real estate.

Both elected to their offices?—A. Both elected. The next paragraph:

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government, not one of whom has a dollar's worth of visible property within its limits, and this too by the most shameless usurpation; for the constitution and law of the State and the Presidential order by which the Norfolk postmaster was removed, all declare that such officials shall hold no office under the government of this commonwealth. The Federal Government, through its internal-revenue collector and the negro councilmen hired by him to scrub the floor of the custom-house and make incendiary speeches against the white people of the town, make our town laws, levy and collect our taxes, distribute our money, and elect *negro policemen* to watch our town while its inhabitants are asleep. This revenue collector declared, when he was elected president of the town council, that it was his intention to use the patronage of the council to build up the Radical negro party.

I can find no truth in this paragraph. It is said here, alluding to the Federal officers, "as the slaves of the Federal Government." I think I need not say in this Capitol that the Government has not any slaves of that kind, or any other.

Not one of whom has a dollar's worth of visible property within its limits.

My information is that out of the twelve councilmen, nine of them were owners of real estate. Both of the colored men that were employed in the internal-revenue office were owners of real estate. For myself I own no real estate in Danville, but I have a comfortable home, well furnished, and plenty of visible personal property. It is true that I am

not as rich as I was before I went into office, and that is a misfortune which I cannot remedy at this time. It is alleged that

The constitution and law of the State, and the Presidential order by which the Norfolk postmaster was removed, all declare that such officials shall hold no office under the government of this commonwealth.

I have a letter from the highest legal authority in Virginia, the attorney-general, stating that there is no statute in Virginia laws which prohibits a Federal officer from holding the position of member of the common council, and that that office is not intended to come under the purview of the law which provides that an official receiving pay from the Federal Government cannot also hold an office of pay or profit under the State government.

Q. That that did not apply to municipal offices of cities and villages?—A. No, sir; it does not, except those possibly who draw pay.

Q. Do not the councilmen have any pay?—A. No, sir; the councilmen draw no pay.

The Federal Government, through its internal-revenue collector and the negro councilmen hired by him to scrub the floor of the custom-house and make incendiary speeches.

I never heard of either of these men making incendiary speeches. On the contrary, all that I have ever heard them say has been of a very conciliatory character. As regards their own people I have often heard them advise them if even knocked down by the white people to get up and run away rather than to make any resistance and bring on a disturbance. I will further say that under no circumstances and at no time have I ever used or attempted to use my official influence as a Federal officer to regulate or control the vote of any man in the common council.

Q. Or their action?—A. Or their action.

This revenue collector declared, when he was elected president of the town council, that it was his intention to use the patronage of the council to build up the Radical negro party.

No such utterance has ever fallen from my lips. When I was elected president of the council it was in July, 1883. After Mr. Blair, a Democrat, had been president of that council for one year, he resigned from that position. I myself nominated for election every Democrat in the common council, and every white Coalitionist, for the president of the council, not desiring to hold the position myself, and indeed desiring very much to avoid it. It was declined by each of them, and only after each of them had refused did I consent to occupy the position.

Q. Was that before or after your appointment as collector?—A. That was after I was appointed as collector.

Q. Did they all consent to your election?—A. I was unanimously elected.

Q. Did you ever hear any of these complaints until you saw them in that circular?—A. Not one of them.

It was his intention to use the patronage of the council to build up the Radical negro party.

The most that I have ever said upon this subject was, upon one occasion I said to Mr. Blair, when discussing the electing of some parties, that I did not desire that this should be a political matter, this conduct of municipal affairs; but I should, however, regard it as just that that party which is held responsible for the conduct and administration of the town should certainly share the patronage, and that it would be my action if two persons came up equally skilled for the place I should prefer the Coalitionist, but if two persons applied and a Democrat were

a better man, and I thought he would serve the interest of the city better, I would unhesitatingly vote for him as against a Coalitionist.

Q. That is, you would not follow partisan dictation or partisan influence in the selection of those municipal officers?—A. No, sir.

Q. Would not be governed by party in that opinion?—A. No, sir.

The police court of the town is another scene of perpetual mockery and disgrace.

I never heard of that until I saw it here.

There the most active justice is a young negro named Jones, who first became famous by seducing a girl under promise of marriage, and was only saved from conviction upon indictment by the evidence of his partner in a junk-shop, who swore that he had had criminal intercourse with her before Jones.

I know nothing of those matters at all. As the man was acquitted I suppose it is like other cases of that kind.

This court which, before the negro *régime* came into power, was only open a few hours every morning, is now practically open from morning till night, and nothing but actual observation can convey the least idea of the travesty of its transactions. Malice and partiality, whenever there is a motive, and ignorance, in its absence, are the rules of decision. The officials of the court, justices and policemen, co-operate in the work to make fees, and every act, or word, or deed of the citizen, whether atrocious in its character or too frivolous for the law to take notice of, is brought before a justice, and the party, if not fined, is required to pay the costs; and if there is more than one party the cost is doubled, and both parties made to pay costs. White men are arrested for the most frivolous acts by negro policemen and borne along to the mayor's office followed by swarms of jeering and hooting and mocking negroes, and tried, fined, and lectured and imprisoned by a *negro* justice, and then followed to the jail by the same insulting rabble.

I have never heard of such an instance. I inquired of the mayor and chief of police after seeing this circular whether there was any foundation whatever for it, and what was the custom in regard to the arrest of persons, by the colored policemen. They said that the colored policemen prefer to serve warrants upon persons of their own color only, and that they were never called upon to arrest white people, except in case of absolute necessity. As to the court being kept open at unusual hours, I have understood that it is customary for magistrates of all parties to attend at the court when their services are required.

Q. Now, as to the adminintration of Mr. Jones as a justice; what have you to say to that?—A. I know that he is more than ordinarily intelligent, and an efficient officer. I have never heard him censured by the colored people except the fact that they thought he was more severe upon them than the white magistrates were. I am not familiar enough with the course of his decisions to know whether any of them have been reversed, but I never heard of any that had.

Q. Do you know that the white people prefer to go to him rather than to the other magistrates?—A. I have heard it said by white people that they regarded him as fair as any magistrate in town.

Q. Those complaints were all unknown to you until you read them in this circular?—A. Until I saw them in the circular.

At the October court of this year two of the party magistrates were removed from office by the judge of the hustings court, one for embezzling the money of the commonwealth, the other for "causes sufficient to the court," and one of them has fled the town to avoid indictment.

I will say that both of those men were removed by the judge of the hustings court.

Q. And two Democrats appointed in their places?—A. And two Democrats appointed in their places. That one of these men, the one who

fled to avoid indictment, was elected in the third ward of the town, where the Democrats have the majority. The other was never elected, but appointed by the court to fill the vacancy.

The notoriety which this state of things in our town has produced has attracted to the town large numbers of idle and filthy negroes from the border counties of North Carolina, and from Halifax, Mecklenberg, and Charlotte, Va. Although there is a law against vagrants, they are never disturbed. They infest the streets and sidewalks in squads, hover about public houses, and sleep on the doorsteps of store-houses and the benches of the market place. They impede the travel of ladies and gentlemen, very frequently forcing them from the sidewalk into the street.

I will say in general for the colored people of Danville that their conduct and their general deportment will compare favorably with that of the laboring classes of any city I know of. It is true that, in consequence of the preponderance of colored people there, especially market days—Saturday especially, there being a great throng in the streets—it is extremely difficult to avoid sometimes being jostled on the street by them, but no instance has come under my observation in which any intentional insolence, or any insolence or intentional interference with the passage of ladies or gentlemen on the street has occurred.

Negro women have been known to force ladies from the pavement, and remind them that they will "learn to step aside the next time." In several instances white children have been struck by grown negroes. We know of several cases where the lie has been given to a white lady to her face by a negro. It is a very common practice for the negroes who are employed about our houses to allude to white ladies and gentlemen as men and women and to negroes as ladies and gentlemen. This is a practice almost without exception with the negro women. They do it to irritate and throw contempt upon the white race. A short time since, when the town was in great excitement over the murder of a respectable gentleman and farmer of Pittsylvania County, in his wagon, while on his way home from Danville, by three negro highwaymen, a negro man in the town stood in the center of a crowd of his friends, with a pistol exhibited on his person, and with threatening gestures and loud oaths declared that he wanted to "start a row with some d——d son of a b——h of a white man that he might kill him."

I inquired of the mayor and of the chief of police whether or not any complaint had ever been made to them of misconduct of the colored people in this particular. They told me they had never heard of it.

Mr. VANCE. I do not think the answer of these gentlemen is evidence here.

The CHAIRMAN. The chief of police was a Democrat, was he not?

Mr. VANCE. No matter if he was, it is not evidence.

Mr. LAPHAM. It is an official inquiry. I think it is proper; he has inquired of the chief of police for official information. I think it is competent; it is seeking official information; it is not mere hearsay.

The CHAIRMAN. I think that is not beyond the limit of a fair statement. The chief of police is a person who could be easily had here if this is disputed, I suppose. Who is the chief of police?

The WITNESS. That is, chief of police at that time; I think he is living there still.

The CHAIRMAN. I think it is proper.

By Mr. LAPHAM:

Q. You were interrupted. You said you inquired of him?—A. Yes, sir; they both replied to me that they had never heard of such an instance except once, and that was from the editor of the Danville Times, and they inquired of him, and he said he knew it only by rumor on the street. I will say this about a farmer being killed by negro highwaymen is true that a gentleman was killed——

Q. We have got all of that he was tried and hanged?—A. Yes, sir.

A few nights ago the negroes were very indignant because they heard of the earnest work that was going on by the whites, to register all of their voting strength, and

called a meeting, which was addressed by an incendiary negro named Pleasants, a postal agent, and one of the town councilmen, hired at the custom-house, and they passed a resolution requesting the governor to have Federal troops sent to our town on election day to intimidate the white people at the polls.

I have never heard of such a resolution nor of such speeches, and in my relations to the party and its management there, it is hardly possible that it could have occurred without my knowledge. I am perfectly confident that no such resolutions were ever passed, and no such speech was ever made.

They have also a scheme to amend the town charter if they elect the legislature this fall, and take into the town a large negro settlement, outside of the town limits, called *Jacksonville*, by which they will get several hundred more black voters, *and then it will be impossible for any white man to hold office in the town. We know this is their plan.*

I never heard of such a thing until I saw it in this print.

It is well known that hundreds of the North Carolina tobacco raisers who live within a few miles of Danville, and used to sell their tobacco in our market, now go five times as far to a market in their own State, *on account of the negro rule in our town.* At the negro meeting referred to above, one of their speakers said they did not want the people of North Carolina to come here anyway.

I never heard of any complaint on the part of the North Carolina farmers, and if they did complain of anything in Danville it is beyond my knowledge. This proceeds :

Now, fellow-citizens of the Valley and Southwest, we cry out to you in our affliction to deliver us from this awful state of *humiliation and wretchedness.* We know that, as a rule, the cries of the wretched make but little interruption of the general progress of things. The sun rises and sets all the same, and the work of the Government, and the work of the feast and the torture goes on with exactness and tranquillity. But we appeal to you by that sympathy which constitutes the bond of union between honorable men struggling in the cause of freedom, to help us throttle this viper of *negroism* that is stinging us to madness and to death, *by voting against the Coalition-Radical candidates, who are yelling and screaming with delight at the prospect of fastening its fangs into us forever.*

I know of no such purpose, but this is characteristic of the speeches and writings of the people of that time. The remedy for all evils seems to be that the people should vote the Democratic ticket.

We appeal to you to say, do you think it is just that we should contribute *every cent* to the maintenance of our town, pay our town debt, and appropriate *not only all the negro pays in the way of tax, but much more besides*, of our own money, to the education of his children, whom he raises upon our money to be our bitterest enemies, and then let him have possession of our town government, too? Is it right that the negro should have all this given him, and then be allowed to control our offices and plunder our treasury besides?

If the negroes have controlled the town of Danville it must have been on the theory that four votes can beat eight. There were 8 white men in the common council. If there was any intention on the part of the colored people to rule the town as such, they have never manifested it by any action of theirs.

It is an injustice at which we know your humanity will revolt.

It is the injustice of the frozen serpent, which, after being warmed into life by its benefactor, stings him to death.

Help us, fellow-citizens, by voting for the Conservative-Democratic candidates for the legislature, for *unless they are elected we are doomed.*

I hold as regards this circular it is simply a political canard. I should be astonished, and was astonished, that any list of names in Danville could have been gotten to subscribe to such a thing. This was not circulated in the neighborhood of Danville, but it is addressed here, published without date or without name, or place from whence published,

but addressed to "the citizens of the southwest and Valley," where the population is a great preponderance of whites. That it was never distributed in Danville, and never sent there for a long time except copies which came from remote places, and very rare and difficult to get.

By Mr. LAPHAM:

Q. Where did you first see it?—A. The first copy of it I ever saw, it was sent to me from Richmond, with the request that I should examine it and make some answer to it.

Q. What day was that?—A. I think that was on Thursday before the riot. Such was my astonishment—my belief that the people of Danville must repudiate the paper—that I sought to get the document copied as a campaign document for the Coalitionists. I believed it would arouse the indignation of the people of Danville that the town was so slandered, but could not get it printed.

By the CHAIRMAN:

Q. Did you prepare an answer to that?—A. I did.

Q. (Handing a paper to witness.) I will ask you if this is your answer?—A. Yes, sir.

Q. Was that printed before the election?—A. Yes, sir.

Q. Where did you get that printed?—A. It was printed in the Richmond Whig, and printed in the Spirit of the Valley newspaper.

The paper is as follows:

I observe that the Bourbon howl about "nigger rule in Danville," "Danville ruined by niggers," &c., is being taken up by the Funder press throughout the State; and lastly, I hear that about a car-load of Funder circulars are to be sent out, especially to the "white counties" of the southwest, and there to be suddenly thrown among the people at the polls, with a view to exciting the passions of the voters and securing their votes for the Funder ticket upon the cry of "nigger rule in Danville."

Of course it seems preposterous that intelligent people should be deceived by so transparent a fraud as this reported circular would, by the very manner of its distribution, be proven to be. I, however, think it proper to give the facts as to the "rule and the ruin" of Danville.

In 1882 the registration of Danville stood—whites, 686; colored, 857; colored majority 171, with a colored majority in the First and Second wards, and a white majority in the Third ward. There was elected in the common council from the First ward two white and two colored members; in the Second ward, two whites and two colored; and from the Third ward four whites—the Readjusters voting for three of them, though all were recognized as Funders. Thus you will see that the council was and is still composed of *four white Funders, four white Readjusters*, and four colored Readjusters—an *increase of one colored member* only over the number that was in the previous council under Funder rule. The Funders offered prior to the election to put three colored men upon their ticket if they would vote with them.

This common council, during the first year of its rule, elected *one colored policeman* only out of nine, and for the second year *two* colored policemen. The people elected one colored magistrate and two white magistrates; and the council one white keeper for the white cemetery, and a colored keeper for the colored cemetery; also a colored clerk of the market. All the other city officers are white, and several of them were recognized as Funders when they were elected, and have continued to act with that party.

So much for "negro rule!"

The charge of "ruin by negro rule" is equally preposterous. The town has never been in a more prosperous condition than it is to-day.

Within the past year and a half there has been more building done here than ever before in the same length of time. Real estate has advanced at rates from fifteen to twenty per cent. in value, and in many instances at the rate of one hundred per cent.

Within the last year several millions of pounds of leaf tobacco have been sold here, more than in any previous year, and at a higher average price than before received. In manufacturing, the tobacco produced here within the past eight months exceeds the amount manufactured in the whole of the previous year. Three large cotton factories have been started here, and business generally has kept pace with this extraordinary growth.

The schools have more teachers, more pupils, and better facilities than ever before. The taxes have been more promptly collected, and the expenses of running the city government reduced. If all this means "ruined by negro rule," Danville can stand it for some time, and I believe that several other cities would like some "ruin" of the same sort.

J. B. RAULSTON.

POSTSCRIPT.

DANVILLE, October 31, 1883.

Editor Spirit of the Valley:

DEAR SIR: A copy of the Funder circular alluded to in my letter of yesterday entitled "Coalition Rule in Danville," has just come into my possession. It is certainly a very extraordinary document, and were I not familiar with the methods resorted to by the Funders here to regain control of our city government, and to assist their party friends throughout the State, I should not have believed it possible that signatures could have been gotten to such a paper. The absolute despotism with which a Funder clique has come, by threatened ostracism, withdrawal of patronage, loss of employment, and even personal violence, to tyrannize over a large class of our people here, is something wonderful, and we need not be surprised at anything they may undertake.

I have only time to add to my letter of yesterday a brief notice of a few of the most glaring misrepresentations contained in the circular.

As to finances, the Funder predecessors of the present council had, by constant and long continued borrowing of money, incurred a bonded debt upon the city amounting to almost \$600,000—the maximum allowed under the charter for which bonds could be issued—and had actually offered and paid three per cent. to all tax-payers who should pay their taxes before their term as councilmen should expire, and thereby secured in advance about \$40,000 of funds belonging to the income of the succeeding fiscal year. The Readjusters found an empty treasury, and this state of finances to enter upon.

It is charged that the negro party petitioned the legislature for an act to divide the town into wards.

Mr. W. T. Clark, then a member of the council, the first signer on the circular above referred to, made a motion, which was unanimously carried, requesting the senators and members of the house from Pittsylvania County to use their influence to secure its passage.

It is charged that out of nine policemen four negroes were chosen,

The fact is, out of nine policemen, for the first year, four Funders white, four Readjusters white, and one colored man only; for the second year, seven white and two colored policemen were chosen.

The present counsel, as stated in my letter of yesterday, is composed of four Funders white, four Readjusters white, and four Readjusters colored, and yet this council, which is charged with a desire to rule and ruin Danville in the interest of negroes and Radicals, elected Mr. J. D. Blair, a Funder member, as president of the body with, power to appoint all the committees.

Mr. Blair resigned, after holding the office for one year, and I, the writer of this paper, was unanimously elected as his successor, after declining to accept until the office had been offered to and declined by every Funder member in the council.

The chairman of the finance committee for the first year of the present council was a Funder, and he was requested to continue to act in that capacity by the president, but declined.

It is charged that the president of the council is a carpet-bagger.

I have only to state that I have resided constantly and been a tax-payer in Virginia for eighteen years, and for the past six years have resided in Danville.

It is charged that the negroes have monopolized the market.

I am told by the clerk that there is not a colored butcher in the market, and that there are as many white butchers doing business there now as before the Readjusters had a majority in the council.

The stalls in the market are by law rented at public auction, and every man, white or black, has an equal chance to secure them.

It is charged that white men are dragged to jail by negro policemen.

I am informed by the mayor and the chief of police that it is the rule not to send a colored policeman to arrest a white man except in case of actual necessity, and that colored policemen prefer to serve warrants on persons of their own color only.

It is alleged that the police court is a place of perpetual mockery and disgrace.

Two of the three present magistrates are Funders, and one is a colored man, against whom the only complaint I have heard is that he is more severe upon the colored people than are the white magistrates.

Of the two magistrates removed, referred to in the circular, one was elected in the Third ward, where the Funders had a majority; the other was never elected, but was appointed by the court.

It is charged that negro women push white ladies off the sidewalk. I have asked the mayor and chief of police whether any complaint has ever been made to them of misconduct by colored people in this respect. They stated there had not, and had only heard of one such case, and that was reported in the Danville Times, and the editor of the paper on being asked for information stated that he only knew of it by rumor on the street.

It is alleged that a gentleman was killed by three negro highwaymen in the county of Pittsylvania. This is beyond the corporate limits of Danville, and neither of the highwaymen were known in this city. A negro was killed a few days before by a white man, but no one thought of charging the Funder party with the murder.

It is alleged that the colored people passed resolutions, calling on the governor to have Federal troops sent to our town on election day.

No such resolutions were ever passed or offered, and I am told by the colored speakers referred to in the circular that they never made use of any such language as is attributed to them.

If time permitted it would be an easy matter to further refute the wholesale and preposterous statements contained in the circular.

I feel assured that the intelligent and fair-minded citizens of the southwest and valley of Virginia will not permit themselves to be imposed upon by this Funder dodge, which, by the very time and circumstance of its distribution, as well as the inflammatory and fabulous character of its recitals, is proven to be a political fraud of the worst character.

J. B. RAULSTON,
President of the City Council of Danville.

Q. Did you try to get it printed in Danville?—A. I sought to get this original circular printed with a view to letting the people know how they were being misrepresented.

By Mr. LAPHAM:

Q. There was no Coalition paper in Danville?—A. No, sir.

Q. Three Democratic papers?—A. Two.

Q. Do you know whether this original circular was printed at Danville?—A. I have never been able to find out where it was printed, but I have always understood that it was printed in Washington or Alexandria, certainly somewhere out of Virginia. I have never been able, though, by diligent inquiry, to find where it was printed.

Q. It was to all intents then a secret circular?—A. Yes, sir.

Q. So far as Danville was concerned?—A. Yes, sir. The distribution was in the white counties, and, so far as I have been able to learn, it never made its appearance in any other section than the white counties.

By the CHAIRMAN:

Q. You have already stated that the Democrats did not complain of the city government, so far as you know.—A. No, sir; I have never yet heard a specification urged against the city government.

Q. You were not present on the day of the riot?—A. No, sir.

Q. I will ask you now what was the cause of the Danville riot, so far as you can gather?—A. From the best information, and from my general observation of affairs during the recent political canvass, I have no hesitation in saying that the Danville riot would never have occurred but for the inflammatory character of the speeches that were made by the Democratic speakers, and the character of the articles in the Democratic newspapers. I was also prompted to that belief by report or common information, which will be developed here in testimony, of the preparation for that disturbance, at least of a vast amount, an unusual amount, of arms that were supplied there, by the rumors that were upon the street, by the general apprehension that our people entertained of it; and I will say that such was the state of apprehension among the Coalitionists of a disturbance that on one or two occasions I was called in to confer with

some prominent Coalitionists upon what means should be adopted to prevent an attack upon them, either at the polls or prior to it, with a view to intimidate them from voting.

Q. What other evidence of the preparation for riot do you know? What do you know of the gathering of arms?—A. I have no personal knowledge of this, except that almost everybody seemed to be armed and carrying weapons, and as to the accumulation of arms in any given point, or of unusual supplies, my information is that there was a large and unusual quantity brought there, and some of them stored in places unusual for the keeping of fire-arms.

Q. Something has been said about the Coalitionists not voting on the day of the election. I will ask you if you know of any efforts to prevent their voting, on the part of the Coalitionists?—A. I do not.

Q. Did you hear any advice given not to vote?—A. There was none to my knowledge, and if there had been any such plan or purpose it could scarcely have escaped my knowledge.

Q. Were there any demonstrations of violence between the riot and the election?—A. No, sir; I never saw a battle-field more quiet than that town was after the affair was over.

Q. I will ask you whether there was a prevalence of crime in Danville and that county, and had been for years? What was the condition of it as regards crime?—A. I think its general reputation in that regard was worse than that of any community I have known.

Q. Have you seen a list of the crimes and violences committed there?—A. Yes, sir; I have seen such a list approximating eighty or ninety murders, attacks, maimings and all sorts of violences.

Q. As a rule who were those attacks made upon?—A. Well, I knew less of them in former times, but latterly, in the last year especially those attacks have been chiefly upon colored people, Coalitionists.

Q. How many crimes do you say have been committed?—A. I recollect to have seen the list—well, I will be safe in saying seventy, may be.

Q. Seventy crimes or violences? What difficulty was there in enforcing justice there; what did the difficulty grow out of to punish crimes?—A. I think popular opinion and prejudice entered into the mind even of juries, to that extent that fair decisions were not to be relied upon.

Q. Were any efforts made to punish these crimes that you know of?—A. In a few instances, but they nearly all escaped without punishment. I have known many of them not to be arrested, and others to be arrested and escape with very slight punishment, or to be acquitted. Indeed, I think there have been more persons killed or wounded in the immediate vicinity of Danville since the riot than there was during the riot.

Q. You say juries would not convict?—A. They have failed to do so.

Q. What were your previous antecedents in politics?—A. Up to the time of the Garfield and Arthur election, I had co-operated with the Conservative party. That party at the time of my action with it, was named first the True Republican party, then the Conservative party, and then finally the Democratic party, according to the different stages of its history and management, but an element became controlling in it, and I found no person, with the liberal views that I entertained, could find any congeniality of association with it, and I left that party.

Q. When did you act with the Coalitionists first?—A. My first act with that party was to vote for Garfield and Arthur; I became connected with the Coalition party during the campaign of 1881, in which the governor was elected. I for some time took no part in politics at all.

Q. You voted for Cameron for governor?—A. I voted for Cameron

for governor, and have voted with the Coalitionists in their general elections since.

Q. Have any threats of violence been made against you that you know of?—A. I only know it by hearsay.

Q. None personally to you?—A. No, sir; I have encountered no personal violence; only hearsay and rumor.

Q. What led you to go to Danville in the first place?—A. I was offered a position in the internal-revenue office and went there to accept it. I will say in that connection, in connection with politics, that I was at that time known as a Democrat, and recognized as such, and it was some time after my going there that I took action with the Republican party. Politics had nothing to do with my going to Danville, as I was appointed as a declared Democrat.

Q. Did you serve in the Union Army?—A. I was commissioned as captain, lieutenant-colonel, and colonel of the Eighty-first New York Infantry.

Q. Did you have a brother also in the same service?—A. My brother was colonel of the Twenty-fourth New York Cavalry, which was in the Army of the Potomac, afterwards the Army of North Carolina, and so on; became a prisoner of war; was at Danville, and during an attempt of the prisoners to escape by overpowering the guard, the particulars of which I have never been able to get satisfactorily, he was killed, or at least he was wounded and died several days afterwards.

Q. That was during the war?—A. Yes, sir.

By Mr. VANCE:

Q. I understood you to tell Senator Sherman that there were no white laborers in any of these factories?—A. No considerable number, as I am informed; there are white foremen and managers, but I think nearly all of the labor, the real manual labor, is performed by colored people.

Q. You do not say now that there are no white people?—A. No; but the large majority, the great bulk of the laborers, are colored.

Q. You think, then, it is to them that is due all the prosperity of the town?—A. I don't think the town could have prospered without the labor.

Q. Without some sort of labor?—A. Some sort of labor, and they have been the laborers

Q. Could it have prospered unless some men had had capital there, too?—A. They began, very many of them, with very small capital.

Q. They had some though, had not they?—A. Perhaps so.

Q. You do not want to give the colored laborers the credit for all the prosperity of the town, do you?—A. No, sir; not at all; I think there are men of great energy and business capacity, and industry there. I only say that the colored people have conducted largely to the prosperity of the town.

Q. Entitled to their share of it?—A. Yes, sir.

Q. You said this division of the wards was not the project of the Coalition party—A. I understood it to have been secured and accomplished by the efforts of the Democratic councilmen and citizens.

Q. That was dividing it into three wards?—A. Yes, sir.

Q. Did not Democrats want five wards instead of three?—A. I don't recollect; they may have, I don't recollect that.

Q. Was not that their petition that it should be divided into five wards, and they amended it in the legislature making it three?—A. I do not know the particulars as to the number of wards they desired. I

only know it was the Democrats who applied for the ward system, and it was subsequently adopted through their efforts.

Q. You stated, with reference to the charge that not one of those persons, referring to the councilors, owned any visible property. You do not understand the circular to have included all the councilors, do you, but only those described as "slaves of the Federal Government"?—A. In either case my answer would be the same to it, that the majority of them do own property. All owned property that was available for process, and two of them were real estate owners.

Q. Did any of those colored men own property?—A. Yes, sir.

Q. Well, a man would be mighty poor who did not own any property. Did they own any property that would be subject to execution?—A. They owned real estate.

Q. How much real estate is exempt from execution in Virginia?—A. I do not know.

Q. Were there any of them out of whom an execution could have been made?—A. I understood so.

Q. Which?—A. Mr. Swann and Mr. Batts.

Q. Do you know the value of Mr. Batts's property?—A. No, sir; I know he was the owner of real estate.

Q. Do you know whether he had any title for it?—A. No, sir.

Q. Is it not a fact that he had contracted for property and taken possession of it, but never had any title?—A. I know he was recognized as the owner of real estate and paid taxes.

Q. At what time?—A. I think before he was a member of the council and during the time, up to the time he went away.

Q. What did you say the value of real estate is in Virginia that is exempt from execution?—A. I did not state.

Q. What is it?—A. I cannot tell you.

Q. Is it \$2,000?—A. I think the advantage of the homestead exemption might secure it.

Q. You think that is \$2,000?—A. Yes, sir; but I am not aware that either of those had ever availed themselves of such a law; indeed I am satisfied that they have not.

Q. They would not have availed themselves of it unless they had come to sell his property, would they?—A. I think not.

Q. If anybody had come to sell his property, had he over \$2,000?—A. I am not familiar with it.

Q. Then you do not know whether he had any visible property, subject to process of law?—A. The property was visible, but whether it was subject to exemption or not, I do not know.

Q. Although it was visible, you do not know whether it was his or not?—A. I presume it was; it was generally stated and understood by all that he owned it.

Q. You do not know that he had a title?—A. I never examined the books. I only know it was stated and denied by none.

Mr. LAPHAM. We understand that they cannot sell real estate on execution in Virginia any way.

Mr. VANCE. I suppose that although an execution might not be available to sell real estate, process would be.

Mr. LAPHAM. A bill in equity, I suppose, would reach it.

By Mr. VANCE:

Q. What did you have at the time you were a member of this town council?—A. I had my house furniture.

Q. You had no real estate?—No, sir.

Q. Do you know whether you had as much as was exempted by law or not?—A. Well, that would be a matter of estimation. I think I had, probably.

Q. What would your estimation be?—A. Of what the value of my property was?

Q. As to whether you had anything over and above the amount allowed you by law exempt from execution?—A. Possibly not.

Q. Are there not, in fact, some unsatisfied executions pending against you?—A. No, sir: I think not.

Q. Who were the other members of the council now besides yourself, in the custom-house, and yourself who were Coalitionists?—A. There was Lipscombe.

Q. What property did he have?—A. He had some real estate, I understand, upon his making application to the common council for the purpose of changing some wooden buildings on his property.

Q. Do you know anything about his real estate?—A. The same as I did of the others. I do not know anything of the owners of real estate by the examination of the books. I only know it by common report.

Q. The assertion is made by a number of respectable citizens that such and such persons had no visible property; you come here and contradict their statements. Now, do you know anything to contradict their statements?—A. I do know by common report that the persons I have named owned real estate.

Q. You do know by common report?—A. And general understanding.

Q. And general understanding. You do not know it in any other way whether they have the title to real estate or not?—A. I do not know that of any citizen in Danville.

Q. Then you come in here and confidently contradict gentlemen who affirm that they knew to the contrary?—A. Yes, sir; indeed I will say that anybody that signed this circular, I think they could sign such a statement.

Q. And you think, without knowing anything about it, that you are entitled to contradict it?—A. Yes, sir. I do not pretend to know anything about it. I do know that it was commonly conceded and generally known that these people owned real estate.

Q. A man's title to his property is made evidence by record in that State?—A. Yes. I have not searched those records.

Q. You do not know whether any of these men had real estate in law or not? You know that it is stated they own some?—A. That is my knowledge of all the property in Danville.

Q. Do you know the particular property owned by any one of these Coalition members of that council?—A. I have never surveyed any.

Q. Have you ever seen it?—A. I do not know that I have.

Q. Therefore you cannot speak as to its value except by common report and general knowledge. Can you speak by common report as to the value of the real estate owned by one only of these Coalition members of your council?—A. No, sir; nor of any other citizen of the town.

Q. You deny, as I understand, having ever said that you intended to so dispose of the patronage of the city government as to building up a Radical-Coalition party?—A. I never said that.

Q. What was it you did say to Mr. Blair?—A. I said to Mr. Blair—we were discussing political issues and political affairs; it was to the effect that when speaking of electing persons of that party—I stated to him that in the State of Virginia there could not be pointed out a

town in which the Democrats had control, in which so liberal a patronage had been given to the Coalitionists as had been given by the Coalitionists in Danville to the Democrats. That my own view was, as far as practicable, we should keep politics out of our municipal affairs, and I stated frankly that my preference would be in case of two persons making application for common office, each equally competent, my preference would always be for the Coalitionist, believing that the party who was held responsible for the government of the town should always have its patronage, but that if two persons came up for an office, one a Democrat and one a Coalitionist, and the Democrat was the better man, and the city would be better served by him, I would invariably vote for him. I have since talked with Mr. Blair and stated that conversation, and he said it was practically as he understood it.

Q. You say you tried to get this circular printed and could not in Danville?—A. Yes, sir.

Q. You wanted it printed because you thought it would excite indignation and do the Democracy damage?—A. Yes, sir; I believed the people of Danville would recognize in it slander upon their town and repudiate it by their votes.

Q. Then you do not attribute the defeat of the party in Virginia to this circular?—A. I think it did them great good throughout the boundaries of the State, where there was not the opportunity to contradict it.

Q. Do you know where it was printed?—A. No, sir; I have never been able to find out.

Q. Why did you say it was printed in Washington or Alexandria?—A. Because that was generally stated to be so. I only stated it upon report. I do not undertake to say so from information.

Q. Did you try to get any copies of it in Danville?—A. Yes, sir; I have made a great many inquiries even since, and I think I got one copy besides the one that was originally sent me.

Q. Where are political documents usually kept and distributed in a campaign?—A. Those that are for local effect and for local purposes, I suppose are in local committees.

Q. Committees of the party, you mean?—A. Yes; and those that are adopted for use throughout the States, I suppose, are generally circulated from headquarters, as this was. This was taken up as a State document and published as such for the purpose of benefit throughout the white counties.

Q. Did you apply to the Democratic headquarters in Danville for copies of this circular?—A. No, sir.

Q. Don't you suppose you could have gotten them if you had applied there?—A. I reckon not; because some gentleman to whom I showed the first copy expressed surprise, and one of them frankly stated he did not expect they would be there. He was surprised that I had gotten it.

Q. Did not you issue a reply to this circular?—A. Yes, sir.

Q. Do you recollect the date of your reply?—A. I remember that I heard of the circular, and after diligent effort both in Richmond and Danville, I was unable to get the circular. I heard the general tenor of it, that there was such a one in existence, which was intended to be sent out subsequently and to be spread among the white voters before they could get an opportunity for information to the contrary. I accordingly wrote a letter for publication, published in the Richmond Whig, setting forth what my opinion was, the real character of Coalition rule in Danville, and published that, and then afterwards I received a copy of the circular. Then I answered it in detail in a few hours, be-

fore the departure of the next train by which I wished to send it for publication.

Q. When was this detailed answer that you speak of dated?—A. My recollection is it was a day or two before the riot. I think possibly Thursday. I can tell in a moment.

Q. The copy that I have was dated October 29.—A. Yes, I think these dates are correct, the 31st.

Q. You had heard of the circular and had written a general denial before you saw it, and that had been sent to Richmond and been published, and then you got a copy from Richmond and wrote the detailed circular by the 29th?—A. The 31st.

Q. This [referring to paper] is dated the 29th.—A. Is not the detailed answer dated the 31st?

Q. No, sir.—A. It is so in this copy.

Q. To whom was your detailed answer addressed?—A. One was addressed to the editor of the Richmond Whig and the other to the editor of the Spirit of the Valley.

Q. Which was to the editor of the Spirit, the detailed one?—A. Both alike. I mean a copy of the same letter was sent to both of them.

Q. Yes; that is correct. The postscript is dated the 31st. So your detailed answer, being dated on the 31st, would have been Wednesday, the postscript to your first answer, instead of Thursday?—A. Possibly.

Q. Well, that is not material; the date is important. There one is dated the 29th and the other the 31st. When you sent out this answer to the circular and published your answer to it, did you have any other names signed to it than your own?—A. No, sir; there were no other names signed to the circular. I signed it myself and mailed it.

Q. What other document was it that there were other names signed to besides yours?—A. There was a telegram sent to the Spirit of the Valley giving the names of certain persons whose names were published in connection with the circular by the editor of that paper as vouching for its statements.

Q. Can you give me the names of those?—A. I cannot recall them, but if I were to see them, if you have them before you, I will certify whether they are correct.

Q. I have them not before me. Did any of them disavow the authority that you alleged to have in signing their names to the paper?—A. There were cards published by two or three to say that they did not authorize their names to be attached to that paper. I will state the full circumstances in order that the answer may be complete. A friend of mine telegraphed from Harrisonburg requesting the names of some parties. I telegraphed him in reply that while there were plenty of people who would be willing to vouch for and sustain that circular, I did not like to expose them to the ostracism and injury that they would suffer, and there was nobody, unless an office-holder, whose business was independent of that influence, who could afford to sign it, and there were several gentlemen I met in my room that night to whom I showed the telegram for names, and several gentlemen were talked with and some were sent out to ascertain the names, and those names were all reported either by themselves or by some persons vouching for them that it was proper to sign their names, and their names were signed. None of them ever signed the circular.

Q. Were their names not attached by you to this paper?—A. No, sir; I sent the paper by mail. The names were sent by telegraph.

Q. The names were sent by telegraph?—A. Yes, sir.

Q. Didn't they appear published as having signed the paper with

you?—A. I don't know the phrase. It was written by the editor of the paper. I don't remember the exact language, but it was in effect that they sustained the letter I had written.

Q. But three of them afterwards published cards denying that they had authorized the affixing of their names, and denying the truth of the paper?—A. No, sir; I did not so understand anybody to say. I have no recollection of a card to that effect. My understanding is, and my recollection is, that they denied the authority of placing their names there, and I have stated frankly that I didn't even see them. It was reported either by themselves, directly, or persons vouching for them, and that was the authority upon which those names were telegraphed. I signed the letter, and was the only signer, and sent it without expecting the signing of any other names.

Q. Were not the names that were sent on by telegraph as indorsing that paper employés in your office?—A. Yes, sir.

Q. Was not Mr. Lambkin discharged because he disavowed the authority?—A. No, sir. He stated to Mr. Marks, my chief deputy, that he was about to engage in business in Danville, or contemplated doing so ultimately, and he was afraid that if he allowed his name to stand in that connection—this was in my absence—that he would suffer by it.

Q. Did he state that to you?—A. He stated it to Mr. Marks, my chief deputy.

Q. I am asking you for your own knowledge of things.—A. Yes; and he also stated that he didn't expect to be able to retain his position, not in this connection, but the fact that he was an officer who had never been regularly appointed to the position he took, but was detailed for that position especially. His unfitness for the position had been conceded by himself, and I was looking for a substitute. I stated to him in conversation after this occurrence that, as I had learned from Mr. Marks that he proposed to engage in business, and could not stand the ostracism, or words to that effect, which would be the consequence of that—I stated to him in conversation after the paper was issued, that he having been in full co-operation with the Coalition party, as I understood a member of the committee, and actively and heartily co-operating with it, that his name had been affixed to that paper exactly in the sense in which, if a firm had been doing business and one of the partners was to sign a check, that he would not think it necessary to consult the other when he was considered a partner in the business, and expected his name was for use in that connection.

Q. You felt at liberty, then, to dispose of your employés' names politically in any way you saw proper, without consulting them?—A. I stated this: that if he feared the ostracism of people so much in case he should go into business, he would not be relieved of ostracism if he retained his position in the internal-revenue office, and his being in that office would prejudice him just as much; remarking to him, "You know I do not propose to discharge you because you do this act, which I consider very improper, but I tell you frankly, if you remain in this office, the ostracism will be as severe as if you stay in the party, and I would advise you to resign."

Q. And he did resign?—A. Yes, sir.

Q. How long after the issue of this circular was it that he resigned?—A. I told him that if I were he I would resign by the 1st of January. On the 1st of January he tendered no resignation, but did not come to duty, and accepted my view of it and said he thought it was proper.

Q. Did you put any of this conversation or these facts that you speak

of in the form of a letter to Mr. Lambkin?—A. No, sir, I did not; it was a matter of conversation.

Q. How long after Lambkin had written the letter, in which he disavowed the authority you assumed, was it that this conversation occurred?—A. I think two or three days, possibly, and that was sometime about the middle of December. He continued in office until the 1st of January. I don't recollect the dates definitely.

Q. You say you think this riot was caused by Democratic orators and newspapers?—A. Yes, sir.

Q. Did you hear any Democratic orators speak?—A. Yes, sir.

Q. Who?—A. Well, I heard Mr. O'Ferrall.

Q. Where did he speak?—A. I heard him at Rocky Mount.

Q. Where is that?—A. It is in Franklin County.

Q. How far from Danville?—A. About 40 miles.

Q. That was the day the riot occurred, wasn't it?—A. Yes; but I speak of the general character of them. I heard very few speeches myself, but I saw them reported in the newspapers and saw the general tone and character of the Richmond Dispatch, Lynchburg News, and Lynchburg Campaign, I think it was.

Q. What was the general tone of the Dispatch?—A. It was less denunciatory than the Lynchburg News.

Q. You mean the Dispatch? I mean the general tone of the speeches you heard.—A. All in general hostile and violent toward Coalitionists.

Q. Is that necessarily calculated to bring on a riot?—A. I think, too, that the resolutions which will be proven by other witnesses; then from information of the general conduct of affairs, the general intense feeling which was engendered in Danville and the neighborhood by the political canvass and by the drawing of the color line, which was distinctly drawn throughout that section, directing the ostracism of all white Coalitionists connected with it, and the purpose of it carried to that extent that I myself, who had no personal difficulties, and don't know of any personal difficulty—I have had hundreds that I have known and accustomed to speak to familiarly that for sometime before election indicated what was their action clearly—what I understood was clearly indicated—that they should neither recognize, patronize, or associate with Coalitionists.

Q. Where was that alleged resolution made?—A. In the Democratic club.

Q. Where?—A. In Danville.

Q. You never had any other knowledge of that, I suppose, than rumor, had you?—A. Well, the rumor was so positive and so undisputed, and the evidence of it so plain, as I was told by men who will be here to testify, as to their refusing to patronize; and it is never denied; I have never known any one to deny it in private conversation.

Q. Do you know of any resolutions on the part of the colored people that they would not have social intercourse with each other when they voted the Democratic ticket?—A. No, sir; I never heard of any such resolution.

Q. What would a colored speaker say about a colored man that voted the Democratic ticket?—A. He would be very apt to say that he had been sold out or had been intimidated in some way.

Q. It was unnatural for a colored man to vote the Democratic ticket?—A. Yes; but I never knew of any ostracism or injury at the polls inflicted upon them for it.

Q. Was there any bitterness on your side; did any Coalitionist ever

say anything but fine words, and turn the left cheek if the right was smitten?—A. I have never heard any myself.

Q. Did you hear Mr. Sims's eloquent speech?—A. I did not.

Q. You have heard of it?—A. Yes; I have heard of it. I have heard Mr. Sims's own account of it, and I am almost as familiar with it as if I heard it.

Q. Do you think that speech was calculated to allay irritation or excitement?—A. I should think it was somewhat calculated to irritate the gentlemen to whom he addressed himself as the signers of this circular, but I am informed that he also stated—so far as he addressed the colored people and Coalitionists generally—he said that they should go to the polls unarmed, and if any colored man wanted to vote the Democratic ticket he should do it. I understood his attack to be purely upon individuals, not upon the party generally.

Q. Do you know anything of the social life of the colored people about Danville?—A. Only in a general way. I could see them associate together.

Q. Don't you know that they do ostracise socially any colored man who votes the Democratic ticket?—A. I do not.

Q. Have you not heard that?—A. I have heard that they do; that they thought any man that voted the Democratic ticket had sold himself, but I have never known of any injury either proposed, threatened, or inflicted.

Q. You say also that the riot was expected or looked for because of an unusual number of arms that were brought to the city. Do you know of any unusual number that was brought there?—A. I know it by common report. I suppose there will be men here to testify to that. I did know that from conversation among Coalition leaders, and it was a source of apprehension to that extent that several meetings were called to confer, and one especially I remember was called to confer upon the danger of it; and even the mayor was asked whether this could not be prevented. The mayor said he was willing to do anything he could, but he didn't enter into the apprehension so much as they did. But since that he has told me——

Q. Never mind what he told you. You spoke of the unusual number of arms being brought into the city.—A. It is only by general information.

Q. By personal knowledge you know nothing of that; you have not seen the arms, I suppose?—A. I have since seen great quantities of arms there, but cannot say about as to the numbers.

Q. Where did you see them?—A. I saw them on the street. Also I saw more men going armed Sunday and Monday than I suppose there ought to be guns in the town.

Q. That didn't imply that they were brought for that purpose?—A. No, sir; I don't undertake to prove that.

Q. Don't you know that the hardware stores had more arms than usual on hand for sale?—A. I know their advertisements were more conspicuous.

Q. That is all you know of it?—A. No; I know by common report.

Q. When you hear by common report, do you know that, or do you just know that you hear the report?—A. There are some kinds of reports that become so general and universal that the fact becomes apparent, and we know it to be the fact.

Q. So that without any information you come before the committee to swear to it?—A. I swear to it with the statement with which I accompany it and the manner of my information.

Q. You cannot begin to say, can you, that the sales of these hardware men at that time exceeded the sales at any other time?—A. I have no immediate knowledge of the books, except the general operation.

Q. You cannot have any idea who those weapons were all sold to, can you?—A. Yes, sir; a pretty clear idea. I saw a large number in the hands of people, and it was very clear to me who they were sold to.

Q. Did you see those people buy them?—A. No, they might have taken them without buying them, as I understood from advertisements they did.

Q. So you do not know, except from belief and report, that there was any unusual quantity of arms in Danville at that time?—A. I know from common report, that led me to that belief.

Q. You said also they were in unusual places. What unusual places?—A. My information was direct, and in the same line, that a large quantity were stored in an insurance office just where the riot took place.

Q. I wish you would tell us where you got that information from.—A. The witnesses will be here to testify.

Q. I would like to have their names.—A. I don't think I can call their names, but I know the information has been given me direct by men summoned here.

Q. The information has been given you by men whose names you do not even remember, and therefore you can swear to the fact.—A. No, sir, I am not familiar with the fact myself. I think there would be no trouble in proving by Elijah Cousins, for instance, and several other witnesses.

Q. Do you believe there were arms in Woolfolk & Blair's office?—A. I thoroughly believe it. My information is that they were loaded in the back yard of that office before the riot began in the morning.

Q. You believe that?—A. I believe that, yes, sir.

Q. Now, all this being known and talked about and feared, so much so that meetings were held by your party and the mayor was consulted, why was it that there were so many colored people on the street the day of the fight? And why was it they could not be got to disperse by the officers of the law?—A. My information is that there was not any unusual number on the street that Saturday afternoon. That street is usually thronged with a great number of people, men, women, and children—meetings of that description on that day. I don't see any authority that should require them to disperse any more than the whites. There was no occasion for either of them to disperse.

Q. Is it usual for 250 to 400 colored people to be assembled around the door of Woolfolk & Blair's?—A. It would be if there was a dog fight, or a man fight, or anything of that kind.

Q. But the colored people are not inclined to disperse when ordered by the officers of the law, are they?—A. No, but it would be very difficult for even officers of the law to make them stand back even from a rope or given line—to get them to disperse by shouting to them. It would be an unusual thing, I think, either white or colored people.

Q. You can't give any reason, then, other than that why these people refused to disperse even when they saw danger and saw pistols and heard the officers of the law trying to get them to disperse?—A. I had a great number of them tell me that they thought people were trying to scare them and had no idea they would shoot them.

Q. Notwithstanding this thing had been feared some time before?—A. Yes, sir; and hundreds of people in that crowd had never attended

a meeting and were innocently assembled there for their usual marketing purposes ; a large portion of them were people from the country, I am told.

Q. Pittsylvania is one of the largest counties in the State, isn't it?—A. Yes, sir.

Q. Is it not the largest in the State in population?—A. I am not familiar with the relative populations ; I know it is a very large county ; very large population.

Q. You told us you thought you could enumerate seventy murders and outrages in the county?—A. Yes, sir.

Q. Do you mean to leave the impression that those outrages were all committed by the white people?—A. No, sir ; I mean by that simply to say that it was a community in which laws had not been thoroughly enforced, and that the prevalence of crime there had in some measure rendered the people familiar with it, and I have thought that if there was a place selected by a plan or otherwise for an outrage or disturbance of that kind it seemed to me the easiest country in the world to get it up in.

Q. Now, we know who the judge of your hustings court was?—A. Yes, sir.

Q. He was a Readjuster. Who was the judge of your county court?—A. He was sometimes called a Readjuster. I always have considered him kind of a Readjuster. He has not been a politician at all.

Q. He was elected by a Readjuster legislature, wasn't he?—A. Oh, yes.

Q. What are the politics of the sheriff of the county?—A. I understand him to be a Democrat ; declared in a card that his connection with the Readjusters was severed ; received the Democratic nomination and was elected.

Q. When did he publish that card?—A. Before the spring election of last year.

Q. What was the reason that you gave that Readjuster officials, who were, of course, the salt of the earth for all that is pure—why could not they have the laws executed in that county?—A. Well, sir, the judge does not execute all the laws ; they have to have a jury.

Q. Who draws the jury of that county?—A. He does ; and a large proportion of them, I am told by those who have it in charge, a large proportion have generally been Democrats.

Q. You mean to say, then, that a Democrat is a man who is opposed to the execution of the laws?—A. No, sir ; I don't mean that ; I mean that a large proportion of the Democrats are not opposed to the execution of the laws, but I mean a laxity of the laws and a lack of the enforcement of them, as by some facts—the causes I am not able to enumerate—the fact remains and exists that there has been an unusually large number of crimes, or considerably larger number of crimes, committed in that district.

Q. Do you think more than any other county in that State in proportion to the population?—A. I am not familiar with the other portions.

Q. A number of these crimes were committed by colored people, were they not?—A. Some of them.

Q. Any of them by Coalitionists?—A. I suppose probably the black people were Coalitionists. I don't know, though ; I don't know of any Coalitionist committing any crime particularly.

Q. Whose fault was it that the laws were not enforced?—A. Well, I think the common sentiment encouraged a lax execution of the laws.

Q. Common sentiment?—A. I concluded it must be so, else the juries would have enforced severer penalties.

Q. To get these seventy crimes you allude to how far back would you run?—A. It has been a matter of discussion and frequent remark of people, I believe, that it would go back about to the war, or some time afterwards. Recently, you know, I suppose that crimes have been more frequent there.

Q. Recently?—A. Yes, sir.

Q. Well, recently, the Readjuster party have had control of everything in Virginia, have they not?—A. No, sir; they have not had control of the juries or magistrates.

Q. Who draws those juries? I asked you that question before.—A. I can't state exactly who draws the juries.

Q. You don't know whose business it is to select the jurors and place their names in a box?—A. No, sir; I don't think I do.

Q. Don't you know that is one of the duties of the judge to select and draw the jury?—A. I am not sure that it is the duty of the judge. I supposed it was the duty probably of the sheriff.

Q. I will ask you if the judge of the county court and the commonwealth attorney and the clerk do not select the jurors?—A. I don't know. I am not sufficiently familiar with the method of drawing juries there to say how they are drawn.

Q. What are your politics?—A. I am a Republican Coalitionist.

Q. Do the Republicans have a surname in Virginia?—A. Well, our Coalitionists include the Republicans and Republicans include the Coalitionists.

Q. So there is no straight Republican party in Virginia, is there?—A. Not that I know of.

Q. It has all gone into Readjuster?—A. No, sir; not exactly; they have all gone together.

Q. The Readjusters have gone into it; which one swallowed the other?—A. Well, they have not been swallowed, either of them yet.

Q. It looked a little that way last fall. Well, I wanted to know whether the Republican party had died and the Readjuster party had administered upon it, or *vice versa*?—A. No, sir; they are both alive.

Q. And united?—A. Yes, sir.

Q. What name do they go by when they go away from home?—A. Well, we are known at home as Coalitionists.

Q. When you get to the Chicago convention, for instance, what name will you be called?—A. We will determine that when we get there.

Q. Do you think you will present yourselves there as Readjusters?—A. We shall all be there and shall present ourselves in a term properly explaining our nature and our character.

Q. Now, is it not a little unusual circumstance in this country where every man is proud to call himself a Republican, or a Democrat, that we find a large party that can't exactly tell a committee what they are or what their names are?—A. Oh, yes; I can tell what we are very easily, but our party comprises elements which have not formerly been known as Republicans, and on the other hand, elements which have not formerly been known as Democrats, and all have come together to beat the beast of Democracy—the Bourbon Democratic party—that's all.

Q. What is the name of that?—A. Ours is the coalition of the Republicans and coalition of the Democrats to beat the Democrats of Virginia.

Q. You have got as many names as the Spanish Infanta.—A. And we have got as many people.

Q. There is a metal we call copper and a metal we call zinc, and the compound we call brass. Here is a party called Republican and a party called Coalition; now what is the compound called?—A. It is called Coalition. All those parties are in coalition—act together.

Q. When did you leave the Democratic party? I understood you once to say you were a member of that organization.—A. My first vote out of the Democratic party was for Garfield and Arthur.

Q. You voted for the Republican electoral ticket or the Readjuster?—A. I voted the Republican ticket straight.

Q. Straight out?—A. Yes, sir.

Q. The Readjuster ticket then was for Hancock, wasn't it?—A. I believe so. I hadn't been taken in with the Readjusters before that.

Q. When did you become revenue collector?—A. My appointment dates the 1st of March, 1883.

Q. When did you first become deputy collector of Petersburg?—A. I think in 1879. I was appointed to an office with the understanding that I was a Democrat. I was not appointed as a Republican, or that I ever had taken action or expected to take any action with the Republican party.

Q. Well, your joining the Readjuster party had nothing to do with your holding an office under the Government, had it?—A. Nothing whatever. My promotion to the collectorship was in direct line of promotion. I was already connected with the office.

Q. Was not there some one between you and the office of collector in the direct line of promotion?—A. Yes, sir.

Q. What was his name?—A. Mr. Marks.

Q. What became of him?—A. He preferred to occupy the position he had. He never made any application; told me he would be better pleased with my appointment than his own.

Q. The council consisted of twelve members, didn't it?—A. Yes, sir.

Q. Of whom seven were Republicans, or eight?—A. Five, as I understood it, were Republicans.

Q. That would leave the Democrats in the majority, wouldn't it?—A. No, sir; I wish to say, there the coalition comes in again. Four of them were declared Democrats; one of them was upon our ticket, however. Three of them had been known as Independents, and voted in the council at various times with us. There was no caucus during the year of the Coalitionists, and there was no intention of running it as a political party, but these men were always recognized as rather Independents.

Q. Where did the Coalitionists come in?—A. Oh, they were on our ticket.

Q. They acted with you, did they not?—A. Sometimes.

Q. They were to all intents and purposes Coalitionists?—A. They voted independently both ways. They voted for a Democrat for president of the council, and they frequently voted both ways. They were known as Independents and declared themselves Independents. They all voted the Democratic ticket at the last election.

Q. Were they elected on the Coalition ticket?—A. Yes, sir; and so was one of the Democrats.

Q. Now, you were president of that council?—A. I was president from July until November.

Q. Do you recollect Mr. Blair's reason for resigning?—A. Mr. Blair resigned for the reason—I think he alleged—that he thought he could serve his people better on the floor.

Q. Didn't he say he didn't want to be responsible as president for the

acts of the council which he could not influence?—A. No, sir. I think he did manifest some displeasure because more Coalitionists—in fact I think it happened that all Coalitionists were elected in July on the police. That action was taken after it had become generally understood and known that an effort was being made to put out every Coalitionist on the police force—to put out the colored men on it. In that instance the Independents joined with the Coalitionists and they elected nine Coalitionists.

Q. Who were the Independent members?—A. Mr. E. J. Beckner, Mr. Arrington, and Mr. Robinson. They voted with the Coalitionists; I call them Independents, because they say they are; they voted with the Coalitionists, and they voted together.

Q. Who were the straight-out Democrats?—A. Mr. Blair, Mr. Garrett, Mr. Guerrant, and Mr. Jordan.

Q. Now, I ask you if you and the men that you could control, and did control, did not have a majority of a quorum of that body?—A. In the first place, I had no special control over anybody that I exerted; at times I used all the influence I could upon all.

Q. Now, you have said that you regarded these men in your employ the same as the junior members of a firm, and felt that your act bound the firm even to signing that circular?—A. Yes, sir.

Q. Was it not the same way in the council?—A. No, sir; Mr. Lambkin was my partner in political matters. This was not a political council. I did not consider myself at liberty to do that. On the contrary, I think the records of the council will show that they voted against me as often as they voted with me. Indeed, I think they took a little pride in doing it.

Q. On small and insignificant matters?—A. I don't recollect the magnitude of any particular matter just now, but I remember I was conscious of the fact that I thought those men sometimes voted against me to show their independence. I certainly never mentioned a measure to them, nor sought in any instance to exercise any official authority over their vote in the common council.

Q. One of the first acts you performed was the election of a Coalition attorney, was it not?—A. Yes, sir; the next act was to elect a Democrat.

Q. Yes; because you could not find one competent to fill the office in the city.—A. I don't know that. I don't know whether there were any others. If there had been, I should have been very likely to have voted for him.

Q. After Blackwell went on the bench, was there another Coalitionist in town that you could get?—A. There were several offered, and some talked during the time it was pending, that they never had been against the Coalitionists, and had always been very liberal.

Q. Well, you could not find one.—A. We elected Mr. Patrick purely because we thought he was the best officer for the place.

Q. My question is whether there was any other Coalition officer in the town when Mr. Blackwell went on the bench?—A. Well, there were others who had been mentioned in that connection. I didn't ask them what their politics were.

Q. Well, you know, I reckon.—A. I didn't think certainly there was a lawyer of either party there who was so good a man for the place.

Q. What is the name of the city engineer you elected?—A. C. A. Ballou.

Q. Was there any other engineer in the city?—A. There were other engineers came there and sought my voice and influence, and said they

would come there and reside and would act with our Coalition part; that they would be very glad to have the office, and I said Mr. Ballou was a very excellent officer, and I could not encourage anybody, whether he belonged to our party or not.

Q. He was a citizen, and the others were not?—A. He was a citizen and the others proposed to be citizens. He removed from an adjoining county, and he was also a brother of a member of the common council, Coalitionist—or rather Independent.

Q. Was he the engineer?—A. Yes, sir.

Q. He was a brother of an Independent, you say?—A. Brother of an Independent, Mr. Arrington, and knowing Mr. Ballou to be an excellent officer, I would not have voted for any other. It was purely on the ground of efficiency.

By Mr. LAPHAM:

Q. Do you remember of seeing the resolutions adopted at Lynchburg on the 5th?—A. Yes, sir; I remember their general character.

Q. Were they published in the Danville paper, do you remember?—A. I cannot state that; I presume they were.

Q. Is there a paper called the Danville Register?—A. Yes, sir.

Q. Don't you remember they were published on election morning in that paper?—A. The resolutions pertaining to the riot?

Q. Yes.—A. I understand they were.

Q. How far is Lynchburg from Danville?—A. About 60 miles. (After examining paper handed by Mr. Lapham.) I think this appeared in the Danville Register on the 6th of November.

Q. Do you remember seeing some resolutions in the Richmond papers?—A. Yes, sir.

Q. The same or similar?—A. They were similar.

Q. Where do you say Lynchburg is?—A. Up about 60 miles from Danville.

Q. In what part of the State?—A. Near the central part, toward the southwest.

Q. In the region covered by that to which this circular is addressed?—A. Yes, sir; it is the first city of importance east of what we know as Southwest Virginia.

Q. I will put these two resolutions in evidence:

Resolved, That we heartily sympathize with our fellow-citizens of Danville in their struggle against the domination of the negro race under the lead of renegade white men, whose hearts are blacker than the skins of their unfortunate dupes, and we assure our fellow-citizens of the white race not only of our sympathy with them in their present struggle, but of our material and physical support whenever that becomes necessary.

Resolved, That Virginia is, and of right ought to be, a white man's country and ruled by white men, and we are determined that our mother State shall not be ruled by thieves, and liars, and cowards with white faces by the aid of their allies, the colored people.

You think that was published in the Danville paper and also in the Richmond papers?—A. I think it had general circulation.

Q. They were adopted on Monday, November 5, as appears by the record. Was there ever, at any time, while you were a member of the council, anything in the shape of a political difference in your official action?—A. No, sir.

Q. When you chose the district attorney, was that a partisan vote?—A. The man chosen for district attorney had been commonwealth attorney, elected by both parties, and, I think, by each party.

Q. Well, when he was selected as attorney of the board, was there any party question about it?—A. It was not a party question.

Q. And you chose him only temporarily—for six months, I think you said?—A. Yes, sir; and at the time he became corporation judge he resigned that, and we elected a Democrat.

Q. And all through the administration of that office, it was as you said you designed to have it, if you could, non-partisan?—A. Non-partisan was the purpose of it. When party came up, or was mentioned inadvertently, it was promptly set aside by the general vote of the common council.

PRESTON WATKINS sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. At Danville.

Q. How long have you lived there?—A. All my life.

Q. Are you a property holder?—A. Yes, sir.

Q. Were you a member of the committee of forty?—A. No, sir.

Q. Were you a member of the grand jury that followed?—A. I was.

Q. Give the names of the persons who composed that jury; who was your foreman?—A. George C. Ayres.

Q. Was he a white man or a colored man?—A. A white man. Mr. E. F. Henry.

Q. Is he a white man?—A. Yes, sir. Mr. Barrett, I do not know his initials.

Q. A white man?—A. Yes, sir. Mr. Friend.

Q. White man?—A. Yes, sir. Mr. New.

Q. White man?—A. Yes, sir. Mr. C. H. Hickey.

Q. White man?—A. Yes, sir.

Q. How many were there in all?—A. Seven besides myself. There was one there I can't think of his name just now.

Q. How many colored were there?—A. Only one.

Q. You were the only colored man on the jury?—A. Yes, sir.

Q. How long were the jury in session?—A. They were in session three days I think.

Q. Was any of the testimony taken by the committee used before the grand jury, depositions?—A. No, sir. We had the pamphlets, the report of the committee there.

Q. But the testimony they took?—A. Read them over, each man had the privilege to look at them.

Q. Their report, and the testimony they took, was before the grand jury?—A. No, we examined other witnesses besides.

Q. Do you remember how many witnesses were examined?—A. I think there was forty odd.

Q. Did the public prosecutor take part in the examination?—A. Whenever we needed him we sent for him.

Q. What was his name?—A. Hamlin. Whenever we needed him we sent for him; we always sent for him.

Q. Do you remember whether the presentment of the grand jury was signed by all the members of the jury?—A. Yes, there was a vote on it, and the clerk was ordered to sign.

Q. Yes, but whether it was signed by all the members of the jury?—A. No, each man didn't sign.

Q. Did you concur in the finding?—A. Yes, sir.

Q. State the circumstances.—A. I concurred after hearing the evidence of the affair, I concurred with the action of the grand jury.

Q. State the circumstances.—A. We examined the witnesses, and I didn't see why, according to the evidence before us—I cannot state all

the evidence that was stated—I didn't see what they could do, and we had been there three days examining it, and was not any nearer making indictments then than at the commencement, and I thought we might just as well stop. I didn't see that we were getting any closer to it, having been there three days, and not having made any indictment then.

Q. Were all the witnesses called before the grand jury examined?—

A. We had a great many names that we didn't think necessary to call. We agreed to close the examination and make the report.

Q. Don't you know there were some colored men they declined to examine?—A. No, sir.

Q. Do you know what form the report was put in by the foreman; have you ever seen that?—A. Yes, sir; I read the report over.

Q. Do you mean to say that you concurred in that?—A. I did, sir.

Q. I will read it:

It appears to the jury, who have examined forty witnesses, white and colored, the larger proportion being colored, that on the 3d day of November, in the afternoon of that day, a fight occurred on Main street, between C. D. Noel, white, and Hence Lawson, colored; that after the fight was over and the combatants separated by the efforts of Policeman Adams and a white man named Lea and others, there was a determination on the part of the crowd of negroes assembled to intimidate the whites by threats and menaces; that the efforts of Policemen Adams, Freeman, and Withers, and citizens Corbin, Calloway, colored, and others, were unsuccessful in prevailing upon the crowd of negroes to disperse; that they persisted in remaining on the scene of the fight and giving expression to remarks calculated to excite the passions of the whites; that at last the whites fired off their pistols in the air, hoping thereby to cause the crowd to disperse; that the negroes did not then disperse, but rushed upon the scene from all quarters, advancing upon the whites with drawn pistols; that firing thereupon commenced; that the whites used their fire-arms in defense of their lives, which were in imminent danger, and by their courage and pluck in standing up against such odds saved the lives of hundreds of people in this city; and this is the unanimous sense of the jury.

(Signed)

GEORGE C. AYRES, *Foreman.*

DECEMBER 7.

The WITNESS. According to the evidence we had before us, there was no conclusion to come to except that. That was the evidence of the two policemen, Adams and Withers, and Mr. Freeman, who said they were there; in their evidence they said that the firing commenced in that way.

Q. Do you mean that it was testified before the grand jury that they fired in the air?—A. That was the evidence before us.

Q. Who gave such evidence?—A. Freeman and Withers.

Q. The same men we have examined here?—A. I reckon so; I don't know; they were before the grand jury.

Q. They there stated the fact that the first firing was in the air?—A. That is what they stated before the grand jury.

Q. And you acted upon that understanding?—A. Certainly I did.

Q. Did they state also that the negroes advanced upon the whites with their pistols drawn?—A. No, sir.

Q. I will read this again:

That at last the whites fired off their pistols in the air, hoping thereby to cause the crowd to disperse, that the negroes did not then disperse, but rushed upon the scene from all quarters, advancing upon the whites with drawn pistols.

Was there such evidence as that given before the grand jury?—A. Didn't say "drawn pistols was advancing from all quarters," came rushing up.

Q. This says with drawn pistols?—A. It is an error about the drawn pistols. It must have been a mistake of the printers. I didn't say "drawn pistols" they rushed up from all quarters.

Q. You do not remember any evidence, then, that the negroes advanced upon the whites with drawn pistols?—A. I didn't; but one or two stated that they saw the colored people with pistols. That was Mr. Freeman; he said in his evidence that he saw them.

Q. Was there any evidence before the grand jury that the blacks undertook to intimidate the whites there?—A. None except the crowd being together and could not get them to disperse; so the policemen stated after the fight took place.

Q. Can you name all the witnesses who testified that the whites fired their pistols off in the air first?—A. Yes, sir; Mr. Freeman, Mr. Withers, and Mr. Lea, and one or two others I cannot recollect now.

Q. You think Mr. Lea gave such evidence there?—A. Yes, sir; I think he gave such evidence, and I think Mr. Dance gave in evidence that he thought they fired off in the air.

Q. Well, it was upon the faith of that, believing that to be the fact, that you consented to this finding?—A. Yes, sir; I found that the evidence was in such—

Q. I say that you acted upon the belief that the whites first fired in the air?—A. Of course I was going by the evidence before us; I could not go by anything more than the evidence.

Q. Now, you say you thought you followed the investigation as long as it was necessary. You mean by that you had obtained full knowledge of the facts, or that you would not be able to obtain them?—A. I didn't believe we would be able to obtain any more than we had; didn't believe we would ever get any more, and would agree to anything to get off. It was a heart-rending mystery to me, and I wanted to get off it as soon as possible.

Q. You didn't think you had ascertained the true facts?—A. I never expected to do that.

Q. You did not think it when you ascertained this finding?—A. Oh, no, sir; we had seen men dead and of course somebody was responsible for it, but didn't think we would get any nearer to it.

Q. Were all the witnesses examined that were summoned, or were some omitted?—A. Some were omitted.

Q. Can you name those who were omitted? We proved that one colored man was summoned but not examined.—A. I agreed myself with the jury; I didn't think it was necessary to examine more.

Q. Well, there were witnesses who were called and not examined?—A. Yes, sir.

Q. Do you remember whether Charles Adams was before that jury?—A. Yes, sir.

Q. Didn't he swear that Colonel Graves shot him?—A. He said that he couldn't swear to it, but that he believed that he shot him. He made such a statement. He was no more near to making me believe it than anything else. He thought it was Captain Graves, but Captain Graves afterwards stated he didn't shoot him.

Q. Did you have the evidence of the witness who saw two colored men shot down at the corner of Union and Main streets?—A. We had the evidence that he saw the man fall, but didn't know who shot him; didn't have any evidence to show who shot at all. I knew the men were dead, because one of them I helped to bury.

Q. Now I want to know how you come to know "that the whites used their fire-arms in defense of their lives, which were in imminent danger, and by their courage and pluck in standing up against such odds saved the lives of hundreds of people in this city." The general account that I had seen was that way, that if the occurrence had continued, if the

fellows had been allowed to fight and the thing had continued, by dispersing them as soon as they could it might have been according to the statement. What you meant by "shooting in the air caused the lives of many to be saved"—the general spirit—the people seemed to be in bad humor—it was the colored people you thought that would have been killed by the hundred?—A. Yes; I understood it the colored people would have been killed.

Q. And it was a mercy to the colored people to have three or four of them shot on the spot?—A. I think so from the way I saw men go up the street; every one that went by my store had either a gun or a pistol.

By Mr. VANCE:

Q. Do I understand you to say that a witness appeared before you on the grand jury that saw two men shot on the corner of Union and Main street?—A. No, sir; I say he saw him fall; he didn't say he saw who shot him.

Q. What man was that?—A. I don't know who he was.

Q. Was it Addison Coles?—A. I disremember; I think Addison Coles told me privately he did; he I don't know that he stated it in the grand-jury room that he saw two men up there dead, but didn't know who shot them.

Q. Addison Coles told you he saw them fall, but didn't know who shot them?—A. Yes, sir.

Q. Was he examined before the grand jury?—A. I think he was; I had a list of all who were examined, but lost it.

Q. What is your impression, that he was examined or was not?—A. That was my impression, that it was Addison Coles; I don't know.

Q. Was Jeff. Hubbard before the grand jury?—A. He was.

Q. And Charles Adams?—A. Yes, sir.

Q. And Robert Adams?—A. Yes, sir.

Q. And Nathan Arrington?—A. Yes, sir.

Q. Walter Withers?—A. Yes, sir.

Q. L. L. Ivey?—A. Yes, sir.

Q. Henry Barksdale?—A. I think he was.

Q. And you say that you examined forty-odd witnesses?—A. I think it was forty-odd.

Q. Were a good many of them colored?—A. Yes, sir.

Q. What proportion?—A. There was about half, and may be more; I think it was more than half. I had the names of all of them down, and lost the paper.

Q. Did you try honestly and diligently to get at the truth of the matter?—A. I tried to some extent, but didn't believe in my own opinion we would get any nearer; I don't know whether they were afraid to tell the truth, but I saw we was not getting any deeper than what we commenced.

Q. Your examination was secret, was it not?—A. Yes, sir.

Q. Did you have the witnesses come in one at a time?—A. Yes, sir.

Q. And after you examined forty odd you despaired of ever getting any more?—A. I did, sir.

Q. And you were willing to close?—A. I was willing to close.

Q. And you signed the report?—A. Yes, sir; voted for it.

Mr. LAPHAM. He didn't say he signed it.

Mr. VANCE. He voted for it.

Q. It was unanimous?—A. Yes, sir.

Q. You say that when that was placed before you you could not come to any other conclusion than you did come to?—A. Yes, sir.

Q. You say now in response to Senator Lapham's suggestion that you thought the men saved the lives of many people by firing when they did?—A. I think so.

Q. Were you satisfied from the testimony that was before you then that the colored people did have arms?—A. No, sir; I was not satisfied they did have arms.

Q. Were you satisfied that any portion of them had arms?—A. From Mr. Freeman's statement I reckon some few of them had arms, but I have had a good deal of dealings with them and I know.

Q. Did not Mr. Withers also say that he saw a colored man drop a pistol as he ran?—A. I think he did; I am not sure about it.

Q. That is two?—A. That is two.

Q. But you are not satisfied that the bulk of the colored people did have weapons?—A. No, sir; I am pretty well satisfied they didn't have them.

Q. As a general thing, don't you know that a good many colored people in Danville do carry weapons, or did?—A. I reckon that there are a few that carries them.

Q. Have you seen some on the persons of colored men?

Mr. LAPHAM. Of when do you inquire?

Mr. VANCE. At any time preceding the riot?

A. No, sir; I don't know that I saw a colored man at all have any weapons before that.

Q. Did you see any colored man carrying any weapons at any time that fall in Danville?

Mr. LAPHAM. Before the riot you inquire, of course.

The WITNESS. I cannot say that I recollect any now that I have seen carrying them.

By Mr. VANCE:

Q. Do not you know that a great many of them habitually go armed, colored people as well as whites?—A. That is the talk of the people, all of them is armed most. I generally, when I go anywhere myself, have one.

Q. You cannot say that of your own personal knowledge, but that is your understanding?—A. That is the general talk about it.

Q. What business do you follow?—A. Merchandise.

Q. Have you lived in Danville all your life?—A. Yes, sir.

Q. What do the colored people there think of a colored man who votes the Democratic ticket?—A. Generally this, it depends upon the standing of the man. If he is a man of no note at all he thinks he claims his right. If he is a man of any note they think he is betraying his race.

Q. I should think so. Do those who vote the Democratic ticket stand well with the colored people there socially?—A. I don't know; I never had anything to do with them. In my place of business I don't talk politics at all. It takes all my time to attend to that.

Q. How is it with the colored people in their social relations towards any colored man who votes the Democratic ticket; don't they refuse to have anything to do with him?—A. No, sir, I think not; Mr. Moulton there votes the Democratic ticket and stands very high, one of the big men in the church, a colored man.

Q. Do you think he sold out the race?—A. No, sir; it must have been his principles. He has been voting it ever since he has been there.

Q. What is his business?—A. Barber.

Q. Are there any other colored men in Danville besides barbers who

vote the Democratic ticket?—A. I think there are some few there. It is some time since I had anything to do with politics at the polls; but since I have been attending to my store, merchandise, it don't give me much time, and I don't know how the colored people vote.

Q. Are there any there who vote the Democratic ticket who are not barbers?—A. Oh, yes! there is Snagg who works in a factory.

Q. Do you know any other?—A. There is a man named Hill, a very prominent man, treasurer of a society there.

Q. What kind of a society?—A. An organization known as the True Friends.

Q. When was this grand jury drawn you served on?—A. It was in January I think. It was the first grand jury after the riot occurred.

Mr. LAPHAM. The 9th of December.

By Mr. VANCE:

Q. It was not very long after the occurrence?—A. No, sir; not very long.

Q. When you were empaneled how much notice did you get that you had been drawn to serve upon the grand jury?—A. I got the notice the week preceding. I don't remember what day; I was summoned for Monday.

Q. How long had your name been in the box as a juror?—A. I don't know how long.

Q. Is that the first time you served on a jury?—A. No, sir; I served on a jury—I don't know how long it has been.

Q. You don't know how your name was drawn then for juryship?—A. No, sir.

By Mr. LAPHAM:

Q. Who drew that statement that was published signed by the foreman?—A. Mr. Tyack, I reckon, who was acting as clerk for the jury.

Q. Do you know in fact who wrote it?—A. No, sir; I don't know in fact, but he was acting as clerk.

Q. That is all you know in reference to it?—A. That is all I know.

Q. You didn't read it, did you?—A. Yes, sir; I read it.

Q. Did you read it or was it read to you?—A. I read it, and it was read to me after they made some interlineations in it.

Q. I have just read you one part that you said you don't remember.—A. That part with the drawn pistols I don't recollect. It might have escaped me in reading.

Q. It has either been put in since or you didn't notice it, one or the other?—A. Yes, sir.

Q. Well, it is a pretty important statement.—A. I see it is, but I don't recollect seeing "the drawn pistols of colored men."

Q. Well, there was no evidence to justify it, was there?—A. I didn't hear any but Mr. Freeman's.

Q. That was two pistols. The whole statement that the colored men rushed upon the white with the pistols drawn is *ex parte* in any testimony, you remember.—A. I can only say that the statement was that the colored rushed up.

Q. You did not sign that paper, did you?—A. No, sir; there was an agreement for the jury to sign.

Q. I ask you, in all candor, did you agree to that statement, that "the negroes did not then disperse, but rushed upon the scene from all quarters, advancing upon the whites with drawn pistols"?—A. Not with drawn pistols. I don't recollect; the other part I did.

Q. But that "they went with arms"—you did not concur in that?—A. I did not.

Q. Do you know how it came in there?—A. I know they said they rushed to the scene from all quarters.

Q. Was that in the statement when you read it, or they read it to you?—A. I don't recollect the "drawn pistols."

Q. What you meant was, they rushed to the scene?—A. Rushed to the scene from all parts, and their firing, I think, was to save their lives.

Q. You meant to save the lives of the colored people?—A. Yes, sir; more than any one else.

Q. When did you commence mercantile business?—A. In 1876, I think it was, or 1875.

Q. Since that you say you have not taken much part in politics?—A. No, sir.

Q. Now, is not one reason for that you apprehended the effect upon your business if you should do it.—A. No, I didn't have time to attend to that and my business too. I did once since I was in business run for a seat in the senate, simply because there was no other candidate at all.

Q. Were you a slave?—A. Yes, sir.

Q. You were liberated by the emancipation proclamation?—A. I was.

Q. What is your age?—A. My age is about forty.

Q. Who did you run against?—A. Mr. John M. Hurt.

Q. Who nominated you to run against Hurt?—A. There was no ticket.

Q. Who was Hurt who was running against you as candidate—what party?—A. The Democratic party; but it was just an agreement with some of the leading Republicans that I should allow my name to be used.

Q. Were not your campaign expenses paid by the Democrats?—A. No, sir; paid out of my own pocket; that is why he wanted me to run. They said the other party was not able to run, and I paid it out of my own pocket.

Q. Where were you on the day of this riot?—A. At my place of business, on Main street.

Q. You didn't witness it, then?—A. No, sir; heard it.

Q. Were there any riotous disturbances between that and the day of the election?—A. Nothing; but people seemed to be excited.

Q. Did you not see people armed Sunday and Monday?—A. Oh, yes; I saw nearly everybody with arms; nearly all the white people were armed.

Q. You didn't see any of the colored people with arms?—A. The colored people were not allowed to be on the streets at all after the thing occurred.

Q. How were the white people armed?—A. With shot-guns and pistols.

Q. Were they armed on election day?—A. The military was out on election day, and I saw several men with shot-guns. I don't know whether they were with the military authorities or not, but I saw them with arms.

Q. You had a colored military company?—A. Yes, sir.

Q. Was it called out?—A. No, sir.

Q. Are you a member of that?—A. No, sir.

Q. Did you vote?—A. No, sir.

Q. Why?—A. Because of the condition of things I didn't feel satisfied to be bothered.

Q. Was it by reason of this riot—the killing of your people there?—A. It was, sir.

Q. Had you any apprehension that it was unsafe to go to the election?—A. No, sir; I didn't go; what happened on Saturday I didn't get over that, and didn't know what might happen; didn't ask any one about it and didn't ask any one to go; didn't know what would be the result, and so didn't go.

Q. You didn't think the killing of these colored people was justified, did you?—A. No, sir. It was uncalled for altogether; but at the same time I believe these three being killed, after seeing the spirit of the people there, it was better for them and would have been worse.

Q. Worse for whom?—A. The colored people.

Q. You were not of the opinion that the shooting of those colored men should be unpunished, were you?—A. Oh, no; I didn't believe they would ever get to it, and might as well stop where they were.

Q. Do you think the men who shot these colored people deserve praise for it?—A. Not a bit of it.

By Mr. VANCE:

Q. What year were you a candidate for the senate?—A. It was four years ago; I think it was the time Mr. Hurt ran.

Q. In 1880?—A. I think it was in 1880; I am not certain of it.

Q. You say your expenses were not paid by the Democrats?—A. No, sir; I paid them out of my own pocket. I can prove that by Mr. W. H. Pleasants and Mr. Jones.

Q. What are your politics?—A. I am a Republican.

Q. You must be lonesome; they say there is no Republican party down there?—A. I am as much a Republican as I ever was; been that all the time.

GRANDERION POTEAT sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. Five years.

Q. Where did you live before that?—A. This side of Danville, about 5 miles.

Q. Are you a native of that county?—A. Yes, sir.

Q. Were you a slave?—A. Yes, sir.

Q. What is your business?—A. A cooper.

Q. Where?—A. Farrell & Co., Danville.

Q. What do they keep?—A. A cooper-shop.

Q. You work at that trade?—A. Yes, sir.

Q. As a hired man?—A. Yes, sir.

Q. Do you remember the day of this riot?—A. Yes, sir.

Q. Did you hear any conversation on the subject before the riot occurred?—A. Yes, sir.

Q. What time of the day?—A. Between 11 and 12 o'clock.

Q. Where?—A. On Patton street, above the court-house.

Q. Who did you hear conversing about it?—A. John Edwards, that used to be a police, and Mr. Ruf. Williams that used to be a police.

Q. White men?—A. Yes, sir.

Q. Democrats?—A. Yes, sir.

Q. Can you tell the committee what they said?—A. On that day

Mr. Farrell had me up there to put away some benches for the Baptist church, and whilst the dray had gone to the depot, between 11 and 12 o'clock, I was sitting outside of a shed that Mr. Pleasants had there, two white men come, Mr. Williams and Edwards, running up the street and had some little bills in their hands, but what they was that I was not able to tell, and just as they got against the fence Mr. Williams walked inside of the alley and handed some to a lady at the door a little above, and came right back beside the fence I was sitting by in a sort of little cabin that Mr. Pleasants had for a work shop and heard Mr. Williams tell Mr. Edwards, "You go to Mr. Schoolfield's and get all he has got, and from there to Colonel Grasty's store and get what he has got and I will meet you at Mr. Joplin's, myself and Captain Graves, and then we will go from there to Captain Graves's house." But I didn't understand what they were going to do; I didn't understand that until I came down street, after they had made these expressions, and there was two white gentlemen there from North Carolina remarks in my presence "There are going to be hell to pay here directly," to the other gentleman that was with him and he said, "What is it?" Says he, "We are going to fire on the niggers this evening," and I walks across the street after they had passed me, and I saw Captain Hall, who was the chief of police at that time, and I called him to me and told him what I heard these men say, and he asked me who were the men that I heard say so. I said, "Mr. Hall I won't tell you who I heard say it, because I don't know who my friends is." He says, "Tell me, I am the chief of police." I says, "Well your being chief cannot rule Danville." He says, "Where is the men you heard say so?" I say, "Yonder they go up Main street on their horses." These men were then on their horses going up Main street, to North Carolina. Captain Hall said, "I don't reckon anything will happen," and I said, "Well, I heard these men say so anyhow". And I said, "If it don't happen I will be right happy to see it, but I am not going to dinner." Well, afterwards, in about an hour or so I was standing at Mr. B. W. Grave's store, in front of his store on Main street, and I heard a fuss down there and saw right in front of Mr. Ruffin's office, Woolfolk, Hawk, and Blair's office, I saw a crowd there, and they said Hense Lawson and Noel had had a fight, and I then looked across the street and saw Mr. Hatcher with a pistol in his hand and Mr. Natt Jordan came out of the office with a pistol in his hand.

Q. Out of what office?—A. Out of Mr. Woolfolk and Blair's office, and Mr. Hatcher then remarked, "Fire on the damned sons of bitches if they won't leave here," and upon that they commenced firing. I ran up to the corner across to Union street, crossing Main street right at the corner of Wiseman's drug store, and as I turned the corner one man fell in front of me and the other behind me, and I being standing betwixt the telegraph posts, I suppose prevented them from shooting me, and I whirled back and goes into Wiseman's drug store, and as I started into the store his clerk remarked to me, "Don't come in here, we will kill you," and Mr. Wiseman came running and says, "Open the door and let everybody come in that can get in, and you all put those pistols down for I have got nothing in the world to do with it," and then I went out the back way of Mr. Wiseman's drug store.

Q. Do you know the names of those two men who rode out on horse-back?—A. No, sir; I don't.

Q. They were white men?—A. Yes, sir; they were white men from the country.

Q. Did you notice whether they were armed?—A. No, sir; I don't think they were.

Q. You don't think they were armed?—A. No, sir.

Q. How many white men did you see with pistols?—A. Every white man that I saw had a pistol, and every boy from fifteen to twenty years old had one.

Q. White boys?—A. Yes, sir; pistols and guns.

Q. Did you see any colored people with arms?—A. I didn't.

Q. You spoke about the team going where, to the depot?—A. Yes, sir.

Q. What was said about that?—A. I said whilst the team was gone to the depot Mr. Edwards and Mr. Williams came.

Q. What team was that?—A. Mr. Farrell's team.

Q. The man whom you were to work for?—A. Yes, sir.

Q. Were you waiting for that team to come back?—A. Yes, sir.

Q. And that is the time you heard this conversation?—A. Yes, sir; while I was waiting for that.

Q. That, you think, was about 11 o'clock?—A. Before noon. I was waiting for that dray to come back from the depot when I heard this remark of Mr. Williams and Mr. Edwards, but in the afternoon, I spoke of the men that was going up the street.

Q. You don't know where they went?—A. No, sir; they were men from the country.

By Mr. VANCE:

Q. Where were you when you first saw the crowd in front of Woolfolk & Blair's?—A. I was standing in front of B. W. Graves's store, on Main street.

Q. How far is that from Woolfolk & Blair's?—A. I don't know; it is across Main street; I don't know how wide the street is.

Q. Was it opposite, or nearly opposite?—A. Yes, it is nearly opposite.

Q. Did you see the fist fight between Lawson and Noel?—A. I didn't.

Q. Was it over before you got up?—A. Yes, sir.

Q. Then you say you saw Mr. Hatcher with a pistol in his hand?—A. I did.

Q. Just at that time, was it right while you stood there opposite Mr. Graves's store that you saw Hatcher with a pistol?—A. Yes; I saw him with a pistol in his hand.

Q. And then after a while he said "Fire"?—A. Yes, sir.

Q. And they fired?—A. Yes; they commenced firing, and I came on up street.

Q. Did you see two men fall?—A. Yes, sir; one fell right in front and one right behind me.

Q. Where were you then?—A. I was at the corner of Wiseman's drug store.

Q. That is away up the street?—A. Yes, because I had come up that high when the firing commenced.

Q. Now, when Hatcher gave the command and fired that shot, you saw these men fall?—A. I didn't say Hatcher shot them; I don't know who shot them; they fell as I was going up street out of the way of the firing; I was running up Main street when they were firing.

Q. I say, was it from the shot that was fired when Hatcher gave the command that these men fell?—A. No, sir.

Q. Who shot these men that fell?—A. I don't know who shot them; I know they were shot.

Q. Were the men before you or behind you?—A. When I aimed to turn the corner one of them fell behind me and the other one in front.

Q. Then the one shot must have passed you to that one in front of you?—A. I suppose maybe it did. I darted behind a large telegraph post, and when the man fell, I turned back and went into Mr. Wiseman's drug store.

Q. Then you didn't see who it was who shot?—A. No, sir.

Q. Could you tell from the report or flash of the pistol how far they were when they shot?—A. I couldn't tell much about it; I was so frustrated that I was getting out of the way.

Q. You were going away from the place where the disturbance took place, and these shots were coming up behind you, were they not?—A. I can't say which way they come; I know they was killed.

Q. Did they both fall on Main street, or one on Union and the other on Main?—A. One fell right on Union street. [Illustrating.] Here is the place where one fell, right there, and the other fell right here on Main street, nearly in front of Mr. Wiseman's drug store, about 3 or 4 feet from the corner.

Q. Had they passed you running up, or had you kept ahead of them?—A. One of them was passing me I thought when he fell; he fell past me, and the other fell behind me, and I got behind the telegraph poles. That is the first one I saw fall, and then I looked and the other fell, and then I dodged behind the telegraph pole, and then somebody hallooed, I don't know who it was, and then I whirled right back and went into Wiseman's drug store.

Q. You didn't see who it was that shot, nor which way the bullets came?—A. I don't know who it was that shot.

Q. Do you know whether the men were shot in the front or rear of the body?—A. I don't know where they were shot, because I didn't take time. I was trying to get out of the way and keep from getting shot myself.

Q. Was anybody in front of you shooting down Main street?—A. I don't remember whether they were or not. They were shooting every which way; they were shooting so fast I couldn't hardly tell which way they were shooting.

Q. You know they were shot?—A. Yes, sir.

Q. But one of them fell at the entrance to Union street and the other fell in Main street?—A. Yes, sir.

Q. Now, I want to understand once more what it was that Ruf. Williams said when he came out from giving the lady the bill?—A. Well, I can explain it. Mr. Williams said to Mr. Edwards, "You go to Mr. Schoolfield's and from there to Colonel Grasty's store," which is on the left of Main street going down; Schoolfield's is on the right; and he says, "Then I will meet you, myself and Captain Graves, at Mr. Joplin's, and then we will go from there to Captain Graves's house," and what it was they were going to carry to Captain Graves's house I didn't understand, any more than they said, "You go and get what they got at them stores"; didn't understand what it was, and what brought my mind to believe that they must have been talking about guns and pistols was what those two white gentlemen said from the country; as I was standing on Main street, they remarked one to the other and said, "We had better leave here; there is going to be hell to pay here"; the other remarked to him "What is it?" He said, "They are going to fire on the negroes this evening." Then they left me and went down to the warehouse and came on back by me and I still watched Captain Hall, chief of police, coming up Main street, down against Mr. Joplin's hardware store, and I watched until he got up to me; then about that time those two gentlemen on their horses had got up as far as Mr. P. R. Jones's house, above the

Arlington House, and I said to Captain Hall, "Captain, there's something going to happen this evening." He says, "What is it?" I says, "I heard those two gentlemen going up yonder say they were going to fire on the negroes this evening," and I says, "That is what I heard them say." He asks me who they were, and I said, "I am unable to tell you, but yonder they go, and you can overtake them and ask them if you like."

Q. You didn't know them?—A. No, sir.

Q. How did you know they lived towards North Carolina?—A. That is the way they were going.

Q. Do you reckon they were going to North Carolina?—A. That is the way North Carolina is, up Main street. Where they live I am unable to say; I knew they were from the country, though.

Q. Had you ever seen them before?—A. No, sir.

Q. Have you ever seen them since?—A. No, sir.

Q. What settlement does that road lead to where you saw them coming up?—A. What settlement?

Q. Yes. Cannot you answer the question?—A. I don't know what you mean by it.

Q. It is rather an intricate question.—A. You give me to understand and I may be able to answer it as to what you did mean by settlement, what county, or what State, or what about it.

Q. You never heard the term before, did you?—A. Yes, I have heard the term before.

Q. Well, don't you understand what it means?—A. What I might term it; a man see a house over there and stating what house, it means what settlement over there; he lives over there, but then that was Main street going towards North Carolina.

Q. Well, I asked you if there was any settlement?—A. Oh, yes, plenty settlements on Main street.

Q. No; I didn't ask that. What settlement does that road lead to?—A. Well, it leads to North Carolina; it forks up there about a mile, one leading to North Carolina, and one to Henry, but where the men were going I am unable to say.

Q. Is there a country up there called Wilson's Ferry?—A. There is a road up there, but I never traveled it; I have heard talk of Wilson's Ferry; Seven-mile Ferry it is called.

Q. Have you ever heard of the cascade?—A. Yes, sir.

Q. This road led to all those, did it?—A. This road up Main street; I don't know which way they took when they got out, or what road they took after they got to the Fork; I am unable to say.

Q. What kind of men were they, old or young?—A. They were settled men.

Q. Settled men?—A. Yes, sir.

Q. Were they old or young men?—A. Well, they were settled men; middle-aged men; about thirty years old, I reckon.

Q. Tall or short?—A. I never looked at the height of them; I know they were men, though, from their faces.

Q. You never noticed their height?—A. No, sir.

Q. Nor what kind of clothes they had on?—A. No, sir; I never noticed that.

Q. You were not paying attention?—A. No, sir; no more than what they were talking about; I paid attention to that.

Q. Did you tell Captain Hall that you knew these men?—A. I did not.

Q. Did you tell Captain Hall you were not going to tell him; in the first place, you didn't know who your friends were?—A. I did tell him; I told him I was not going to tell him who those men were that made the remark about going to the stores, but the other two men going up the street, I didn't know who they were.

Q. Did he look in the direction when you pointed towards them?—A. He looked in the direction.

Q. Didn't say whether he knew them or not?—A. No, sir; he didn't. I didn't exchange many words after that, for I was looking out for my dray to come back and I was going back to my work.

Q. Did you see what it was that Mr. Williams and that other man, Edwards, had?—A. I did not.

Q. Was it bits of paper?—A. I saw him hand out a little bill into the house; it seemed that it was a bill; it was paper.

Q. What sort of bill?—A. Paper with printing on it.

Q. He gave it to a lady, you say?—A. Yes, sir.

Q. Whose house?—A. I don't know whose house.

Q. How far above the court-house was it?—A. I don't know exactly how far it was.

Q. You can give us some idea so we can find out?—A. I am afraid to say, because I cannot tell.

Q. Which side of the street was it?—A. It was on the right-hand side going up Patton street, but where it was or who it was I cannot tell.

Q. How far from Main street?—A. I don't know the distance from the two streets.

Q. What were you doing there?—A. Doing where?

Q. There.—A. I don't know where you mean.

Q. Well, it is rather a complicated question; take time and think up your answer.—A. No, sir; I won't tell nothing no more than what I know, because I didn't come here to lie; that's not my profession; I ain't thinking of nothing but what I know.

Q. Now, I asked you a very plain question, what you were doing there, and you declined to answer.—A. Yes; but you didn't say what.

Q. What I asked, you know very well.—A. You asked me what I was doing on the street.

Q. And what the house was, and you could not tell me; and I asked you what you were doing there, and now you get puzzled all at once.—A. No, sir; I ain't never; you asked me what I was doing there but didn't say where. If you asked me where I was I will tell you; I was at a workshop putting away some benches for the church.

Q. How far were you from the house where you saw Williams give this lady this slip of paper?—A. The next door.

Q. Then the house where the lady lived was next door to the church?—A. No, sir; it was not no church, it was a shop.

Q. Well, it was next door to the shop; was it the shop where you work?—A. No, sir; I was just up there putting away some benches for the Baptist church on Main street.

Q. Tell us which side it was on, down towards Main street or up the other way?—A. It was up the other way.

Q. And next door to the shop. White or colored people?—A. White people.

Q. Live next door?—A. Yes, sir.

Q. And you don't know who lived there?—A. No, sir; I don't remember.

Q. How far was it from the door to the shop?—A. Well, it was above the shop; next above the shop.

Q. The next lot?—A. Yes, sir.

Q. No house between it and the shop?—A. No, sir; no more than a fence, I believe, run between. I won't be certain, but think there is a fence run between them.

Q. Was it 20 yards?—A. I didn't measure the distance; I am unable to say what the distance was.

Q. You are able to give your opinion to the best of your ability?—A. I am afraid to say, because I might say wrong.

Q. It would not be a great matter if you were to say wrong by a few feet.—A. It mightn't be to you, but it would be to me upon my oath.

Q. And you are afraid to give an opinion?—A. Upon my oath I don't give nothing but what I know to be so.

Q. But if I ask for your opinion there is no harm in your giving it.—A. I am unable to give my opinion how far it was.

Q. You, however, give your opinion that these people were talking about pistols, although you didn't hear them say anything about pistols.—A. I didn't give any opinion at all more than I believe that is what they were talking about; I believe that.

Q. Well, is not that an opinion?—A. Well, a man might have an opinion and not believe it; I believe that.

Q. How far do you believe it was from the door of the shop to the place where that woman was to whom the paper was given?—A. Well, I have just told you I am unable to say.

Q. I have asked you not for your opinion, but what you believe?—A. Well, I am telling you now I am unable to say. I am afraid to say, because I don't know.

Q. I just want your belief.—A. I say I am afraid to say, because I don't know.

Q. Well, you didn't know these men were talking about pistols, did you?—A. No, sir; I didn't know it, but from the evidence which occurred afterwards I believe that is what they were talking about.

Q. Now, just give us your belief in the other matter. It is true this is a much more important matter than the pistols?—A. It may be with you, but not with me.

Q. Well, it is a wonderfully important matter, but just give your belief.—A. I am unable to say.

Q. Then you won't say?—A. I am unable to say, because I may say wrong.

Q. Well, you were not afraid when you said you believed these men were talking about pistols.—A. No, because the evidence of what occurred and what I saw would give a man evidence to believe that is what they were talking about.

Q. Now, I will promise you if you will tell how far it is from the door of that shop to where this lady was standing when she received the paper from Williams, that no man shall go there and measure it or contradict you if you should happen to be wrong.—A. A man may go and and measure if you like, but I am unable to say.

Q. In other words, you are unable to say anything but right on one side and you don't want to say anything that may favor the other side?—A. No, sir; I don't want to speak anything unless I know it and candidly believe it, and for me to say how far it is from that lady's door to that shop I cannot do it.

Q. Was it 50 yards?—A. I cannot say.

Q. Was it a mile?—A. I cannot say; I know it was not that far.

Q. Was it a quarter of a mile?—A. No, sir; it was not that far.

Q. Was it 50 yards?—A. It was not that far, but exactly how far it is I am unable to say.

Q. Was it 20 yards?—A. I don't know.

Q. Now you have got to the sulking place and won't go any further?—A. I don't know.

Q. Well, when you left and the firing began down there at Woolfolk & Balir's, started up the street, did you run or walk?—A. You know I run without asking me.

Q. No, I believe it, but I don't know it. Were you ahead of any of the colored people who run?—A. Oh, yes, I was ahead of some.

Q. Were you ahead of all of them?—A. I don't say I was ahead of all of them.

Q. You were not in the crowd when the firing began, were you?—A. In the crowd standing down on Main street?

Q. Yes.—A. No, sir; there was a crowd on the street and I was on the sidewalk.

Q. You began running early, didn't you?—A. I began to run when the firing commenced.

Q. You had that much start of the other men, didn't you?—A. No, sir; because the street was full; because that was just about the time that people generally go to market on Saturday, and the street was full.

Q. How many colored people were there when the pistols were first fired?—A. I don't know; I am unable to say, because on Saturday evening that is the market time, and on Saturday evening the streets are full.

Q. Give us your opinion about how many there was?—A. I am not able to say, because I have just told you that on Saturday evening the streets are full; because everybody is gathering up market on Saturday.

Q. How many were there?—A. I didn't count them.

Q. Did you see white people on the sidewalk?—A. Yes, sir.

Q. How many were there?—A. I never counted them, but there was a great number of them, and every one of them had a pistol in his hand, or what didn't have pistols had double-barrel shotguns.

Q. Did they have any of these 6-pounder Parrott guns and Napoleons?—A. I don't know what kind of guns they were; they were guns and pistols.

Q. Did you see any artillery?—A. No, sir; I never saw any artillery there that day.

Q. Were there more white people there than colored people?—A. I won't say there were.

Q. Well, which was the most?—A. Well, sir, I am unable to say, because on Saturday evening the streets there are lined with white and colored people, and I am unable to say which was the most on the street.

The chairman suggested that as it was getting late the committee adjourn and the examination of this witness be resumed in the morning.

WASHINGTON, D. C., *February 26, 1884.*

GRANDERION PETEOT'S examination resumed.

By Mr LAPHAM:

Question. Will you give the names again of the two ex-policemen whom you heard conversing?—Answer. Mr. Williams and Mr. Edwards.

Q. Are they white men and Democrats?—A. Yes, sir.

Q. They said one go to one place, and another to another. Were those places where arms were kept?—A. Yes, sir.

Q. You knew that?—A. Yes, sir.

Q. Now, when you heard the order to fire given how soon did they fire after that order?—A. About a second afterwards.

Q. Instantly?—A. Yes, sir.

Q. What did the colored people then do?—A. Run.

Q. In every direction?—A. Yes, sir.

Q. And some run up street ahead of you?—A. Yes, sir.

Q. And you ran?—A. Yes, sir.

Q. Were they pursued by anybody as they ran?—A. Yes; they followed them along the street.

Q. Who followed them?—A. White people.

Q. Fired at them?—A. Yes, sir.

Q. And in that way the two were killed who fell near you?—A. Yes, sir.

Q. Were they running at the time they were killed?—A. Yes, sir.

Q. Did you hear any firing of guns that night or the next day?—A. I heard them that night.

Q. Saturday night?—A. Yes, sir.

Q. How was it Sunday and Monday?—A. Well, sir; you could hear no firing Sunday or Monday, but I heard people with guns and pistols marching up and down the street on Sunday and Monday.

Q. You saw them with them?—A. Yes, sir.

By Mr. VANCE:

Q. They were police, were they not?—A. They used to be police.

Q. I mean the men who were marching up and down Sunday and Monday with guns. They were put there by the mayor, were they not?—A. I don't know who they were put there by. Everybody I saw a gun or pistol; but who they were put there by I don't know.

By Mr. LAPHAM:

Q. Did you see people on horseback with arms?—A. Yes, sir; on Saturday.

Q. Before the riot or afterwards?—A. Afterwards.

STEPHEN LONG sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. I live on Jackson Branch, up above Danville.

Q. How far out of the city?—A. It is in the corporation limits.

Q. How long have you lived there?—A. I have been living there about five years.

Q. Where did you live before that?—A. Before that we lived some part of the time in the town of Danville.

Q. Are you a native there?—A. No, sir; I came from North Carolina.

Q. How many years ago?—A. I suppose in about 1876.

Q. Were you a slave?—A. Yes, sir.

Q. What is your age?—A. About twenty-five.

Q. Are you a single man or have you a family?—A. Single.

Q. Where were you on the 3d of November last, the day of this riot?—

A. I was at Elligap's store, on Jackson Branch.

Q. How far from where the firing was?—A. I suppose about a mile.

Q. Were you at work that day?—A. Yes, sir. I was employed by him to keep bar-room.

Q. You were at your business that day?—A. Yes, sir.

Q. All day?—A. I was there until it was something after dinner, I don't know exactly how long. Then I received a message that they were fighting down town, and they had killed my sister's son, and I goes down there. There was two of them down there, and I goes after the other one.

Q. That was after the firing was over?—A. Yes, sir.

Q. You were not there at the time of the firing?—A. No, sir.

Q. Do you know where Schoolfield & Tyack's hardware store is?—A. Yes, sir.

Q. Where is that?—A. That is down on Main street.

Q. Were you there that day?—A. Not on Saturday. I was there on the 2d.

Q. What time?—A. I suppose about as near as I can come at it, about half past 3 or 4 o'clock.

Q. In the afternoon?—A. Yes, sir.

Q. Did you see any weapons there, or guns or pistols?—A. Yes, sir; I saw a great many guns.

Q. Did you see anybody doing anything with them?—A. Yes, sir; I saw two white gentlemen loading them.

Q. Loading what?—A. Double barrel shot-guns.

Q. How many?—A. I suppose about one hundred or one hundred and twenty-five; somewhere there.

Q. Did you notice what they were loading them with?—A. I couldn't tell whether they were cartridges in the shell that they were putting in or ball.

Q. They were breech-loaders?—A. Yes, sir. The cartridges might have been loaded with shot.

Q. They were loading them with shells?—A. Yes, sir.

Q. Do you know who the men were?—A. No, sir; I don't know neither one of the gentlemen's name.

Q. How long did you see them at work at it?—A. I went there to get some faucets to put in some barrels, and when I got them I left.

Q. Can you say how many they loaded while you were there?—A. I didn't take very particular notice how many they loaded.

Q. Where did they place them after they loaded them?—A. Well, they had a show-case something like that [indicating book-case] setting up a little behind the counter there, and they had right smart in that.

Q. They put them in there?—A. Yes, sir; and one was setting them down in the corner on the floor.

Q. Did you see pistols there?—A. No, sir; I didn't see any pistols.

Q. Nothing but double-barreled guns?—A. No, sir.

Q. Was your relative killed as was reported to you?—A. Yes, sir.

Q. What was his name?—A. Jerry Smith.

Q. Where did you find him?—A. Now, going down town I met him coming out. They had him in a vehicle coming out. He was dead when I saw him.

Q. They were carrying him out?—A. Yes, sir.

Q. How long did he live?—A. I don't know.

Q. Did he live in Danville?—A. He lived out at Captain Walter's, about a mile from town.

Q. Did you notice where he was shot?—A. Yes, sir.

Q. Where?—A. He was shot right here [indicating breast].

Q. In the breast?—A. Yes, sir.

Q. Did the ball go through him?—A. No, sir; it didn't go through him.

Q. When you saw him he was dead?—A. Yes, sir.

Q. How old a man was he?—A. He was about twenty-three or twenty-four years old.

Q. What was his business?—A. Working in the factory.

Q. A peaceable man?—A. Yes, sir.

Q. Did you ever know him to carry weapons?—A. No, sir.

Q. You say Smith was shot in the breast; whereabouts?—A. I say he was shot right here in the side like.

Q. Under the nipple, there?—A. Yes, sir.

Q. You didn't know where he fell?—A. No, sir.

Q. They had him in a wagon taking him home?—A. Yes, sir.

Q. You say you never knew him to carry a pistol?—A. No, sir.

Q. Never knew him to own one?—A. No, sir.

By Mr. VANCE:

Q. What store was this where you saw the fire arms?—A. Down to Mr. Schoolfield's.

Q. Schoolfield's hardware store?—A. Yes, sir.

Q. Whereabouts is that?—A. That is down on Main street.

Q. Whereabouts on the street; how far from the bridge?—A. From the free bridge, I suppose, about 100 yards or 200.

Q. How far below the opera house?—A. I think it is near 300 yards below that, or 400.

Q. You were there the day before the riot, on the 2d of November?—A. Yes, sir.

Q. What time in the day?—A. I think it was between half past 3 or 4 o'clock.

Q. Between 3 and 4?—A. Yes, sir.

Q. How many guns did you see?—A. I couldn't tell exactly how many; I saw, I suppose, about one hundred or one hundred and twenty-five.

Q. You saw men loading them?—A. Yes, sir.

Q. Did you see whether they loaded them or not?—A. No, sir; I didn't stay there to see whether they loaded them all.

Q. How many did you see them load?—A. I didn't pay particular notice how many they loaded during the time I was there.

Q. Well, to your best recollection, how long did you stay there?—A. I didn't stay in there any longer than I could get those faucets I went after.

Q. How long was that?—A. No longer than a man could show them to me and I pay him for them.

Q. It was not more than a minute, then, was it?—A. I suppose about a minute or three minutes.

Q. What were they loading them with?—A. They were putting shells in them.

Q. It don't take long to do that, does it?—A. I don't think it does, loading breech-loaders.

Q. Yes; all they had to do was to drop the breech of the gun down, shove in the shell, and bring it back?—A. Yes, sir.

Q. Where were the guns lying?—A. The guns were setting up, resting against the counter, sort of like this [indicating], where they were taking them from and loading, and they were setting them back in the show-case; one was, and the other was setting them in the corner, down on the floor.

Q. You saw only two men there?—A. There was two in that store loading them, Mr. Schoolfield's.

Q. Well, you spoke of one setting them down on the floor and another somewhere else, what do you mean by that?—A. I say guns were setting against the counter. They were taking them up from there and loading them—one of them setting what he loaded up in the show-case, and the other setting his what he loaded down in the corner on the floor.

Q. Now, that was a regular hardware store, wasn't it?—A. Yes, sir.

Q. Where they keep guns for sale?—A. Yes, sir.

Q. You had seen guns there before, had you?—A. Yes, sir; but not that many.

Q. How many were the most you ever saw there before?—A. I don't think I ever saw any more than about twenty-five or thirty-five.

Q. But this time you saw from one hundred to one hundred and twenty-five?—A. Yes, sir.

Q. Did you count them?—A. No, sir; I said I suppose about that many. I didn't say exactly that many.

Q. But you never had seen that many there before?—A. No, sir.

Q. Who were the men who were doing the loading?—A. I didn't know either one of them.

Q. Did the men belong in the store?—A. I don't know.

Q. You have been there to the store to trade frequently, haven't you?—A. Yes; I had been there.

Q. Didn't you know the proprietor and clerks?—A. I know Mr. Schoolfield.

Q. Didn't you know his clerks?—A. No, sir.

Q. Where were the men loading, behind the counter, or in front?—A. Behind the counter.

Q. Did they have their hats off like they lived there?—A. I didn't notice about the hats.

Q. You couldn't tell whether they appeared to be clerks or whether they were visitors?—A. No, sir.

Q. You couldn't tell that?—A. No, sir.

Q. Who was in the house at the time; what one of the proprietors that you did know?—A. I didn't see but three gentlemen that were in the store, and I didn't know neither one of the three that I saw in there; don't know their names.

Q. Didn't you know either of them that belonged to the store?—A. No, sir.

Q. Either one of the three?—A. No, sir.

Q. You couldn't mention any man's name, then, that you saw in the store?—A. No, sir.

Q. You say you don't know either of the men whom you saw in the store?—A. No, sir.

Q. Do you know the man you bought the faucet from?—A. No, sir; I don't know his name.

Q. Did he belong to the store?—A. He was in there, but whether he belonged there I don't know. He is the man who sold me the faucet.

Q. Did he have any authority there, or was he a stranger and just got over behind the counter to wait on you because there was no one else there?—A. I couldn't answer that, because I don't know. All I know is the man sold it to me and I suppose he was a clerk of the store.

Q. Do you know Mr. Schoolfield?—A. Yes, sir.

Q. Was he not in there?—A. I didn't see him there.

Q. What is his partner's name?—A. I don't know.

Q. There is some one else who owns the store besides Mr. Schoolfield, isn't there?—A. If there is I have never seen his sign up there, at least, I don't remember it.

Q. Well, you heard them say they were going to have a riot and shoot negroes with the guns, didn't you?—A. No, sir.

Q. Didn't you hear them say that?—A. No, sir.

Q. Are not guns frequently sent there to be repaired?—A. At Mr. Schoolfield's?

Q. Yes.—A. Not that I know of; never heard of any being sent there.

Q. Never heard of men whose guns were out of order sending them there to be repaired?—A. No, sir. That is not the gun shop where they repair them at.

Q. Don't they do repairing in there?—A. Not that I know of.

Q. Don't they have it done?—A. They may have it done elsewhere.

Q. Don't men send their guns there sometimes for safe-keeping?—A. Not that I know of.

Q. Don't send them there to have them cleaned and fixed up, and things of that sort?—A. Not that I know of. All ever I saw in there I always thought they were for sale.

Q. You always thought they were for sale?—A. Yes, sir.

Q. Did you think these were for sale?—A. They might have been for sale; I don't know.

By Mr. LAPHAM:

Q. The person who sold you the faucets was not assisting loading, was he?—A. No, sir.

Q. It was the other two men who were loading?—A. The other two.

Q. You never had seen them in the store before, had you?—A. Them two that were loading?

Q. Yes.—A. I don't remember ever seeing them there.

Q. You didn't recognize them as anybody you had ever seen before?—A. No, sir.

Q. And you don't know to this day who they were?—A. No, sir.

Q. They were white men?—A. Yes, sir.

Q. You didn't hear them say anything?—A. Not in that store, I didn't.

Q. Yes, that is what I mean. Did you hear any talking by white men that day anywhere else?—A. No, sir; not there. Didn't hear any talk in Mr. Schoolfield's store.

Q. Did you hear any anywhere else than in that store?—A. When I got through down to Mr. Schoolfield's I come out and come up Main street to Mr. Tyack & Doe's, and I started in there to get me a pocket-knife, and there was one man in there loading guns on the same day.

Q. On Friday afternoon?—A. Yes, sir. And when I went in there was a gentleman went in there just ahead of me—a white gentleman—and asked him what he was going to do. He said he was going to kill all the damn something—I couldn't understand what it was. The wagons on the street made so much fuss at the time I couldn't understand.

Q. Who asked him that question?—A. It was a gentleman who went in just ahead of me.

Q. He inquired of the man who was loading what he was going to do?—A. Yes, sir.

Q. Give his reply as near as you can.—A. He asked him what he was going to do with the guns he was loading; he said he was going to kill all the damn something; by that time, you know, there was a wagon dray passed and made so much noise I couldn't hear. I couldn't understand the other part.

Q. They were white men, were they?—A. Yes, sir.

Q. That was after you bought your faucets?—A. Yes, sir.

Q. Where is that store?—A. Tyack & Doe's? It is on Main street.

Q. How far from the other?—A. There is a whole block between the two stores; neither one of the stores don't set exactly on the corner.

Q. What was the man loading there?—A. He was loading double-barrel shot-guns.

Q. This relative of yours who was shot, was he shot with a ball or with shot?—A. With a ball.

Q. It was a bullet-hole?—A. Yes, sir; there wasn't but one hole in his side.

By Mr. VANCE:

Q. You didn't tell us about the blood-thirsty fellow in Tyack's store the first time?

Mr. LAPHAM. I didn't know of it myself.

By Mr. VANCE:

Q. Why didn't you tell the first time, witness?—A. About Mr. Doe's store?

Q. Yes.—A. He asked me did I know where Mr. Schoolfield and Mr. Tyack and Doe's store was, and I told him I did.

Q. Well, you went on to tell about that, and then you didn't tell anything more about going to Doe's store and seeing the man loading guns in there?—A. You commenced asking questions about that and you cut me off.

Q. Why didn't you tell that to Senator Lapham before I took possession of you as a witness?—A. He said he was through.

Q. And then why didn't you tell it to me?—A. Well, I was just answering your question that you asked me.

Q. Then, how did you come to tell it to him?—A. He asked me where did I go—I think that was his next question—where did I go after I come out of Mr. Schoolfield's.

Q. Well, you heard him say he was going to kill all the damn something?—A. Yes, sir.

Q. Now, I will ask you if he didn't say he was going to kill all the damn negroes?—A. I couldn't answer that, because I couldn't understand that part of it.

Q. Could not; why?—A. No, sir; there was so much noise on the street by wagons passing.

Q. You managed to hear the first part of it, though?—A. Yes, I heard the first part.

Q. Did you tell anybody this tale that you heard this man threaten what they were going to do?—A. No, sir; I didn't say nothing to anybody until Monday—Monday or Tuesday, one—then my mind was freshed.

Q. Your mind was freshed?—A. It was fresh to the shooting on Saturday, and I said I reckon that was what they were doing Friday, loading guns.

Q. Who did you say that to; who did you tell it to?—A. It was just a whole crowd there standing talking around the store.

Q. When?—A. I think it was either Monday or Tuesday; I don't know which.

Q. Did you tell any one more than that crowd?—A. No, sir; I don't remember telling any one man that day—either one of those days.

Q. Did you know that man who said he was going to kill all the damn something?—A. No, sir; I don't know his name.

Q. Did you ever see him afterwards?—A. I disremember.

Q. Who was in the store at Mr. Doe's when this man said that?—A. I was in there for one, and the man that was loading was another.

Q. What was his name?—A. I don't know what his name was.

Q. What was the man's name he was talking to?—A. I don't know either one of them.

Q. Who of the proprietors was in the store?—A. Who were in there; did I understand you to say who were in the store?

Q. You did.—A. Well, I was in there for one.

Q. Well, you have told that; I ask you who of the proprietors were there?—A. I didn't see either one of them.

Q. Who of the clerks was there?—A. I saw one man in there.

Q. What was his name?—A. I don't know his name.

Q. Now, you told us a story—that you saw two men loading guns in Mr. Schoolfield's store, but you don't know any man that was present?—A. I said I didn't know their names.

Q. Yes, and then you say you were in Mr. Tyack & Doe's store and saw another man loading guns and telling another man he was going to kill something with them, and you don't know either one of their names, and don't know either the proprietors or clerks in the store?—A. I say I didn't see the proprietor in the store; I know both of them.

Q. Well, you saw some one besides the man loading guns and the man he was talking to, and you don't know his name?—A. No, sir.

Q. You told it to a large crowd on Monday, and don't know the name of the man in the crowd you told it to; that is so, isn't it?—A. Yes, sir; on Monday there was a great crowd by the store where I was staying, and I don't know whether I told it Monday or Tuesday, but I remember speaking of it at the store.

Q. And you don't know any man you told it to?—A. No, sir; not them two days.

Q. Were they colored or white people to whom you told it Monday or Tuesday?—A. Colored people.

Q. Did you vote?—A. Yes, sir.

RUFUS HATCHET sworn and examined

By Mr. LAPHAM:

Question. Where do you live?—Answer. I live on Jackson Branch.

Q. In Danville?—A. Yes, sir.

Q. How long have you lived there?—A. I have lived there about eleven years.

Q. Where did you live before that?—A. I came from North Carolina.

Q. You are a North Carolinian by birth, then?—A. Yes, sir.

Q. Were you a slave?—A. Yes, sir.

Q. What is your business in Danville?—A. Carpenter.

Q. Who did you work for?—A. I worked for myself.

Q. You carried on the business yourself?—A. Yes, sir.

Q. Do you remember being on one occasion in Mr. Vass's store?—A. Yes, sir.

Q. Where is that?—A. That is on Main street, near in front of the Market square.

Q. How far from the scene of this riot?—A. I suppose from the report which I have heard from the riot, it must have been right in front of it.

Q. Did you see Captain Graves there?—A. At Mr. Vass's store?

Q. Yes.—A. I did not.

Q. Did you see any one there whom you knew?—A. Oh, yes. When I went down there—

Q. How long before this riot was it?—A. That was about the first Monday in October.

Q. Did you hear any conversation there about arms?—A. Here is the way I come to know what I am before you to speak.

Q. Tell just what you heard there.—A. I went down there—it was about 8 or 9 o'clock in the morning—to Mr. Vass's hardware store to get some nails, and Mr. Fox, coffin-maker in the town of Danville, went in just before me, and when he got in he says to Mr. Vass, says he, "Is not our town in a dreadful fix?" And Mr. Vass says: "Yes, it is; and we are not going to stand it." Says he, "Before we will stand it we are going to shed blood." Mr. Fox answered him then this way: "I am old, and of course I can't do anything but just look on." And then Mr. Fox goes out, and about the time Mr. Fox got just up before the corner, coming up towards Mr. Catlin's office, Mr. Charley Holland come in, and when he come in Mr. Vass was down near the rear part of his store. He called, and says, "Vass"! Mr. Vass answered, "Sir," and came on, meeting of him. He says, "Is not your boys come yet?" And he says, "No; they have not got here yet, but I have got the bill of lading for them"; he says, "I am expecting them now on every train." And then Mr. Holland turned around and starts out. When he got out just about middle way of the counter—the partition goes between the two counters—he then says back to him, "How many did you send for?" He says, "I sent for five hundred"; and then Mr. Holland goes on out. Just as Mr. Holland got out on the street going towards the bank, in come Mr. Gerst's son—one of them, but which one I am not able to say; I don't know the names of neither one. When he got about that distance, then some gentlemen, another gentleman (I was showing him to some of these boys that are here now, Sunday, when we come down to the train. They called his name, but I couldn't call it now); the one that I pointed out; both came in together, and they called him, and said the same words to him.

Q. Repeat what they said.—A. They says, "Vass." He says, "Hello." He says, "Is your boys come?" He says, "No, they haven't come yet, but I have got the bill of lading for them." Then, at that time, he says, "Well, if they don't get here soon we will have no time to practice." Mr. Vass said, "Yes, if they come to-day or to-morrow you will have a month now to practice," in that way. At that time in come Mr. Boisseau, and he calls him and repeats the same words, only in this way. He says, "Vass." He says, "Hello." Then Mr. Vass was right behind the counter. He says, "Is your bull-dogs come?" and he says, "No, they haven't got here yet, but I have got the bill of lading for them." Then at that time one of the clerks says, "I am ready to wait on you now." That was me, and I told him I wanted some nails, and he went around the counter and asked me how many nails I wanted. I told him, and when he was fixing up the nails for me I said to him, "Is that some new kind of dogs that Mr. Vass has ordered. He said, "Oh, no; they are pistols, pistols that you don't have to cock them at all." Says he, "Just

as long as you pull you keep firing." "Oh, yes," says I. At that time I had my nails fixed up, took them, and went on out.

Q. Were these all white men?—A. Yes, sir.

Q. Did Mr. Vass keep arms in his store for sale?—A. Well, I couldn't say; I have seen pistols there a good many times.

Q. Five hundred you say he said he had ordered?—A. Ordered five hundred.

Q. Where were you the day of the riot?—A. I was at home.

Q. You didn't see any of it?—A. Not a bit.

Q. Do you remember whether there was anything said by any of these persons about the Coalitionists; did you hear anything said about them?—A. Well, Friday night, before the riot on Saturday, I had been down to the post-office to get a letter, or was expecting a letter rather, for myself, and one for William Graham and a man by the name of John Wallace, who worked with me—one of them, John Wallace—and after going there came on away, and as I come up Main street and got right against Mr. Shelton's house, right there near the lamp-post, Mr. Shelton was talking to some one in his front passage. He said that the white folks are going to rule this town. "We are going to rule this town and kill the last negro." By that time I stopped to see what was the matter. I said, "I never heard any one talk that way before." That I said to myself; then I walked on. That was Friday night before Saturday.

Q. Do you know to whom he was talking?—A. I did not; I didn't see him at all.

Q. You recognized Mr. Shelton by his voice?—A. Yes, sir.

Q. Is he a white man?—A. Yes, sir.

Q. Democrat?—A. Yes, I suppose so.

Q. What time Friday night was that?—A. That was between 7 and 8 o'clock.

Q. In the evening?—A. Yes, sir.

Q. Did you vote?—A. Oh, yes; I voted at Wimbeshers.

Q. Do you know as to whether any of those who testified here have been put in fear by threats that have been made to them?—A. I know only in this way: as some of the persons who have been here and testified in regard to the same matter that we are here for, and since they have gone home they have been hunted for in the night.

Mr. VANCE. Now, unless you know that of your own knowledge, not from any hearsay—A. Well, I only know this: the man has left Danville, and his wife is at her sister's house, which is about 150 yards or probably 75 below my house in the same line. That is all I can state.

The CHAIRMAN. Tell what you know, as a matter of course.

By Mr. LAPHAM:

Q. Tell what you know about it.—A. I just know that from hear—of course I was not at his house.

Q. Now, did you hear anything else than what you have stated by way of threats toward the colored people, or Coalitionists before this riot?—A. No more than what I heard? Yes, I heard two other messages before that. Sunday after the riot on Saturday, I was on my way over to the cemetery to the burial of this Jerry Smith that was killed on Saturday, and I goes over to Mr. Yates's store there by the dry bridge and waits for the procession to come on. I staid there so long that I concluded the procession had gone on to the cemetery, and I was there waiting for them, and had got missed of them, and I was going on towards the cemetery, and there was two white gentlemen come walking

up the railroad. The name of either one I am not able to pronounce, but the face of one of them is very familiar to me, because when I was at work at Mr. John Guerrant's chair factory building some houses he would give me orders down to Mr. Hamlin & Hinton's store to collect my pay, and I would get it from the hands of this man, and he was one of the two who were coming up the railroad. Just about the time they got up to the cut that goes through a little hill like under the dry bridge they turned off and come up this ridge, and as they turned off to come up the ridge I was going down and this gentleman that clerked at that time in Mr. Hamlin & Hinton's store says to this other gentleman that was with him, says he, "We have missed every darned one that we aimed to get, that was Squire Talliaferro, Batts, Pleasants' and Jones," and when he ended his last words, upon that he looked up, and I was as near to him as that book-case there, and he says, "Good evening." I said, "How are you, gentlemen," and passed on. Then I heard no more then from that. But what I did when I got to the cemetery I tells a good many of the people there, in fact a boy that was waiting on Jones. The name of him I am not able to tell. Why I say he was waiting on Jones, I was at Jones's office some once or twice, and he came in and brought Jones his dinner——

By Mr. VANCE:

Q. Wait a minute; who was that who told you this?—A. Who was the gentleman who said it?

Q. Yes.—A. This was a clerk for Mr. Hamlin & Hinton at that time.

Q. I know, but the man who waited on Jones's store. Who are you talking about now?—A. I am talking about a young fellow that waited on Jones—brought him his meals.

Q. Something he told you?—A. What I told him. He didn't tell me anything. I simply told him when I got to the cemetery—says I, "Tell Jones, tell Squire Talliaferro, Batts, and Pleasants that I heard two gentlemen say just now, as I came down the railroad, that this riot was right after them, and to look out.

By Mr. LAPHAM:

Q. You merely gave warning?—A. Yes, sir.

Q. Who were those men, Talliaferro and others? Did they live there in Danville?—A. Yes, sir.

Q. Have they been witnesses here?—A. Squire Talliaferro is here now.

Q. You know Captain Graves, don't you?—A. Oh, of course.

Q. Have you ever heard him say anything?—A. Well, on the day of the election this conversation passed between me and Captain Graves. Graves was on the election ground awhile, and why the question occurred between me and Captain Graves at the election ground was this: Barksdale, I think his name is, was issuing tickets there, and I goes to him from the report which was about at Jackson Branch, about what the white people of Danville was going to do, was going to come out there, and was going to mob us to death, because of the report from Jackson's Branch that we were going to mob them. I was at a stand to know who it was carrying such messages as that from Jackson Branch to the people of the town of Danville. I wanted to find out about it, and when they carried any such report as that not to say all the people on Jackson Branch, "for I was one," says I, "and love peace and harmony and union with all mankind. Just let me understand who they

were, so that I might ask them in making the report not to put my name in." Then Mr. Barksdale would say, "You see Captain Graves. He says some such report as that has been to us, but," says he, "Captain Graves can give you full understanding how it is." Well, Captain Graves then was standing out there, talking to two or three other men, with Mr. Schoolfield and Mr. Vass present.

Q. That was election day?—A. Election day.

Q. Did you notice whether they had arms?—A. I didn't. I don't know; I can't say; I am satisfied they had. Don't know as they had arms.

Q. What was said between you and Captain Graves?—A. They sort of ceased talking. They was very particular engaged talking and they sort of ceased, and then I says to Captain Graves, "Mr. Graves," he says "Eh," I says "If you please, I would like to have a word or two with you;" "Oh," he says "of course." Then him and me went out one side, out of the crowd, and I asked him the same question that I had asked Box.

Q. What did you ask him?—A. I said, "Mr. Graves, I understand that the people of the town of Danville are stating that they were going to come and mob us upon Jackson Branch all to death for the report or understanding from Jackson Branch that we were going to mob them." "Well," he says, "yes; that is what we have really decided." "Well," I says, "Mr. Graves, tell me who it is that is bringing these messages from Jackson Branch to town raising this fuss." He says, "There has been so many messages of the kind brought to me that I couldn't really say who it is." "Well," I says, "can you as much as bring out one?" "Oh," he says "no, I can't." Says he, "I found a letter the other day stating the very same thing." "But," I says, "in that note that you found is the man's name signed to that note?" "Oh, no," he says, "his name is not signed." "Well," I says, "now, Mr. Graves, I hope this thing is done with, and whilst I am talking with you," says I, "Mr. Barksdale tells me you will give me thoroughly to understand about any question I wish to bring before you. Now, I ask you is not this thing done with (the riot)?" He says, "I won't say that," he says, "I won't say that, but I can tell you one thing, that if it starts again we are not going to spare no one." "Well, but then," says I, "I hope it will never start any more." "Well," he says, "in fact this thing happened exactly three days sooner than we were expecting;" and I says, "three days sooner?" And he says "Yes;" though he says, "the night that Sims spoke there," he says, "it came mighty near being that night. I had to work very hard to keep it from being on that night." Says he, "When Sims first said that he was going to speak there he notified the town, and I was up at my house," says Mr. Graves, "and I heard the message that he was going to speak there in front of the Arlington House on the old post-office steps. No sooner had I heard that message than I mounted my horse, went right straight down there and saw some of Sims's friends, and told them to ask Sims to please not to speak there, but over in front of the court-house; and he says that's the reason why he didn't. Of course, he spoke over there." He says, "But the reason why I requested him so particularly to move over in front of the court-house instead of there, was that my men had been practicing there for one or two weeks and that was one of the nights for practicing."

Q. Practicing what?—A. He didn't say what.

Q. Was that near the old armory, where the club-room was?—A. Yes, sir; right in front of the Arlington House.

Q. Was it near the old armory?—A. I don't understand your meaning.

Q. Where they keep the guns?—A. Oh! They keep guns way down below that. That was the old post-office where Mr. Sims was speaking. They don't keep any arms there.

Q. Where was the Democratic club-house?—A. That was right there in front of the Arlington. I know nothing at all about it, only what he said to me.

Q. Tell what else he said, if anything.—A. The next question which he led out right on from that was this, that on the night of the speaking by Mr. Sims over there in front of the court-house (I am going to state now the condition in which he said that his men were placed), he said his men were formed in a line from the old brick building on the corner clean up near to that hall. Well, I was not there at the speaking and don't know nothing about it.

Q. He spoke of them as his men, did he?—A. Oh, of course he did, and I have been informed since that these men—

Q. No matter, just confine yourself to what he said. Have you stated all the conversation now between you and him?—A. Yes; I think I have stated it all.

Q. You know Glass, who has been here as a witness, don't you?—A. Yes. At least I know it was said. I haven't seen him since.

Q. Where is he now?—A. His wife says in North Carolina.

Q. He is not at home?—A. No, sir.

Q. Has he been at home since he testified here?—A. Oh, she reports he was—

Mr. VANCE. Never mind.

WITNESS. Oh, I see now, as to saying of my own personal knowledge whether he has been at home. I am not able to answer that question.

By Mr. LAPHAM:

Q. You know he is away now?—A. Yes, sir.

Q. All you know about his going away is hearsay; what you have heard others say?—A. Yes, sir.

Q. Are you a property owner there?—A. Yes, sir.

Q. Do you own real estate?—A. Yes, sir; I got a lot there that I bought from Mr. Jacob Davis.

Q. How extensively have you carried on your business there during the time you have lived there? How many buildings have you put up in Danville?—A. I couldn't tell you.

Q. You can tell something about it.—A. I put up thirteen last year.

Q. How many in all should you say since you started business there?—A. I suppose in all—I could not say; I have not been working regularly at the carpenter's work ever since I have been there.

Q. Never mind that.—A. I suppose in all the buildings I have put up since I started in the town of Danville, I reckon not less than about fifty or seventy-five.

Q. You put them up by contract.—A. Yes, sir; by contract; I am on one now for Mr. Walters.

By Mr. VANCE:

Q. How long have you been in Danville?—A. I cannot tell you exactly the time I moved in Danville; the place I now am, close by, in 1871.

Q. Have you been there ever since?—A. Yes, sir.

Q. A carpenter by trade?—A. Of course.

Q. And on the first Monday in November you were in Mr. Vass's

store?—A. Yes, sir; I will tell you why I call it the first Monday in particular.

Q. I do not care why you call it the first Monday; just answer my question.—A. Of course.

Q. You went in and got some nails.—A. Yes, sir.

Q. Who did you ask for the nails?—A. When I went in to get the nails I went to the stove first and Mr. Vass and another gentleman, who I didn't know, was away down at the far end of the house, and this gentleman went right on out and then Mr. Fox and Mr. Vass got into conversation.

Q. You heard my question didn't you, witness?—A. Yes, I reckon so.

Q. What was it?—A. You asked me who did I speak to when I went in for nails, wasn't it?

Q. No. I asked you who you asked for the nails when you went in.—A. When I went in the store I didn't say anything to any one until one of the clerks came to me.

Q. When did you ask for the nails?—A. I asked for the nails just as soon as the gentleman came to me.

Q. Who was it?—A. I don't know his name; I know his face.

Q. Where was Mr. Vass?—A. Mr. Vass was then down near the middle way, of the lower end, of the rear part of the store.

Q. That man he was talking to went out?—A. Yes, sir.

Q. When did you see Mr. Fox?—A. Mr. Fox went in before me.

Q. Where was he standing?—A. When he called Mr. Vass's attention he was standing right at the partition that goes between the two counters.

Q. Now, what did he say to Fox, and what did Fox say to him?—A. Mr. Fox said to Mr. Vass, "Is not our town in a dreadful fix?"

Q. "Is not our town in a dreadful fix?" Then what did Mr. Vass say to that?—A. He answered Mr. Fox and said, "Well, we don't intend to stand it."

Q. How far were you from them now?—A. I was standing right in front of the stove, which is between the partition.

Q. How far were you from them?—A. I was not as far from them as I am from you and Mr. Berkley there.

Q. They saw you, didn't they?—A. Of course they did.

Q. They knew you could hear what they were saying?—A. Yes, sir.

Q. And Mr. Vass said they didn't intend to stand it?—A. Yes, sir.

Q. What else was said between Fox and Vass?—A. Mr. Vass said, "We don't intend to stand it; before we will stand it we will shed blood."

Q. What did Fox say to that?—A. Mr. Fox said, "Well, I am old, I cannot do anything but look on." After that Mr. Fox turned around and went out.

Q. Where is Mr. Fox now?—A. He is in the town of Danville I reckon.

Q. What is his name besides Fox?—A. I can't answer that question; I just always heard his name called Mr. Fox.

Q. You don't know what his given name is?—A. No, sir; I am well acquainted with him.

Q. What messenger of calamity came in next after Mr. Fox?—A. Mr. Charley Holland.

Q. What did he say; and then what did Vass say to him?—A. Mr. Charley Holland, when he came in, called Mr. Vass, and Mr. Vass was away down in the rear part of his store. He says to him, "Vass." Mr. Vass says, "sir." He says, "Aint your boys come yet;" and Mr. Vass

says, "No; they haven't got here yet, but I have got the bill of lading for them," and then Mr. Charley Holland stood there a little while, and turned around and got about half way of the counter which leads out towards the street and the door. Then he turns back and calls to Mr. Vass, and said, "How many did you send for?" Mr. Vass said, "I ordered 500," and Mr. Holland then goes on out, and just about as Mr. Holland got out and turned up to go toward the bank, and had got near to the corner, in come Mr. Gerst, and this gentleman with him. I don't know the name of this Mr. Gerst; it was Mr. Gerst's son.

Q. Was it the councilor?—A. I don't know.

Q. Was it the man who is a member of the council?—A. I don't know that.

Q. You don't know he is a member of the city council of the city you live in?—A. I don't; you know I don't know much about that part of the business.

Q. How many Gersts are there in town?—A. Two or three.

Q. Father and son?—A. The old man is there; at least had been there the last time I saw him.

Q. Well, there are a father and two sons, are there not?—A. Yes, sir; there may be more than that.

Q. Do you know any more?—A. No, sir; don't know the names of them.

Q. Was this the father or one of the sons?—A. This was one of the sons.

Q. What did he say when he came in with this other man who you don't know?—A. When he came in he says, "Mr. Vass." Mr. Vass says, "Hello." Says he, "Has them boys come?" And Mr. Vass says, "No; they have not come yet, but I have got the bill of lading for them, and I am looking for them on every train." And then after he said that he says, "Well," says he, "if they don't come to-day or to-morrow, if they don't come soon, we will have no time to practice." Mr. Vass then says, "If they come to-day or to-morrow you will have a month then to practice by that date."

Q. By that date?—A. Yes, sir; that was what he said.

Q. He meant by that the day of the election, didn't he?—A. I don't know.

Q. You don't know that?—A. No, sir.

Q. What did you understand him to mean by the boys?—A. I didn't understand what the meaning of that was, but when he said he had got the bill of lading for them it made me think then it must be some kind of a dog, or some material which he had there in the store. Why did I bring my mind to that. I will tell you, because I had been ordering stuff myself by way of the railroad, and when I went to get it they would show me a bill of lading for what I had sent for, and what it cost and everything. Therefore, I thought then right there it must be something of the kind.

Q. You thought it must be in the nature of a dog, for men generally order dogs by rail, and generally get about 500 at a time?—A. Now, you must wait a little before you get to that. When Mr. Boisseau came in and asked the thing Mr. Holland did, how many did he order, and he says 500, then it drawed my mind surely it must be something else, but when Mr. Boisseau asked had those bull-dogs come, then I goes to the clerk who was fixing the nails for me, and asked if that was some kind of a dog that Mr. Boisseau was looking for there from Mr. Vass to guard the town, and then he tells me no, it was pistols.

Q. Which one came in first, Fox, didn't he?—A. Mr. Charley Hollano came in first.

Q. Charley Holland came in first?—A. Yes, sir; after Mr. Fox. Mr. Fox said nothing about any dogs, nor boys, nor nothing.

Q. Mr. Charley Holland spoke first about the boys, and asked how many, and they said 500?—A. Yes, sir.

Q. And then you thought it must be some kind of dogs?—A. Yes, sir.

Q. And then when Mr. Fox asked when he came in and talked about their being in a dreadful fix, you still thought it was some kind of dogs?—A. No; Mr. Fox didn't say dogs.

Q. Mr. Holland came in before Fox?—A. No; I said Fox came in first.

Q. That may be what you meant, but it is not the way you said it.—A. Mr. Fox didn't ask anything.

Q. Mr. Holland is the first one who asked how many he had ordered?—A. Yes; and Mr. Fox had been there and gone.

Q. Then next after him came Mr. Gerst?—A. Yes; after Mr. Holland.

Q. And Mr. Gerst asked the same question?—A. Yes, sir.

Q. About how many he had ordered?—A. Yes, sir.

Q. And then Mr. Gerst said "If they don't come to-day or to-morrow?—A. No, sir.

Q. Who said that?—A. Mr. Vass said that. Mr. Vass said "If they don't come to-day or to-morrow, they will still have a month," and Mr. Gerst said, "If they don't come soon we will have no time to practice."

Q. You still thought it was a dog?—A. Didn't I tell you when they called it the bill of lading it changed my thought then.

Q. He told Mr. Holland he had the bill of lading for them?—A. Yes, sir.

Q. Why didn't you change your thought then?—A. You see Mr. Holland he said, "boys," Mr. Gerst said "boys," but when Mr. Boisseau came in he said "bull-dogs."

Q. Up to this time Mr. Boisseau hadn't said anything about bull-dogs?—A. Who?

Q. Mr. Boisseau?—A. Oh, he was not there when these other persons were present.

Q. I know he was not, but he was the first one who said anything about bull-dogs, was not he?—A. Yes, sir.

Q. Now, up to the time that Mr. Holland and Mr. Gerst and Mr. Fox got through their conversation they spoke of the bill of lading, at least Holland and Gerst did, but you thought it was dogs of some kind, and then when Mr. Boisseau spoke and called it "bull-dogs" you didn't think it was dogs?—A. Then I asked the question of Mr. Vass's clerk, was it not some kind of a dog?

Q. When did you change your opinion, when you heard Boisseau, or asked the clerk?—A. When did I change my opinion, is that the question?

Q. Yes.—A. When the question came out about the boys and the bill of lading, after the boys, then I was at a stand about it—about boys, and I didn't come to any conclusion of any kind more than studying about what the bill of lading was for. Well, then, when he said dogs, when Mr. Boisseau came in, and said "have these bull-dogs come," then I thought it was some kind of a dog that they were getting to guard the town, and asked that question.

Q. Five hundred of them?—A. Yes, sir.

Q. And that they were to be practiced with by the day of election?—A. Well, but then of course they practice with dogs often to hunt what they want to hunt.

Q. They do?—A. Yes, sir.

Q. Well, but they don't practice dogs to guard the town by the day of election, do they?—A. I don't know anything about that, because I didn't have no time to center upon that; for when the clerk told me it was pistols, then of course it throwed me clear away from any dog.

Q. Then it throwed you clear away from the dog?—A. Yes, sir.

Q. Up to that time you had no idea it was pistols that they were talking about?—A. No, sir.

Q. What did you think it was up to the time Boisseau mentioned the bull-dogs?—A. I didn't know really what it was; only just listened at the questions as they passed.

Q. And then the clerk told you it was pistols?—A. Yes, sir.

Q. What was the clerk's name?—A. I don't know. If he was to come in here right now I could tell you that was the man.

Q. But you cannot tell his name?—A. Of course not.

Q. You and he were particular friends, were you not?—A. I don't know.

Q. He took you into his confidence, didn't he?—A. I don't know that, even. He just answered the question I asked him.

Q. Did not he tell you what the pistols were for?—A. He did not.

Q. Didn't he tell you they were going to kill the niggers?—A. No, sir.

Q. Didn't you think that was what they were going to do?—A. I didn't have thoughts about it.

Q. When did you begin to have thoughts about it?—A. When the riot had taken its effect in the town of Danville, then it occurred to my mind, that is exactly what they were for.

Q. That is when your thoughts began to take hold of you about the use of the dogs?—A. About the use of the pistols.

Q. Well, pistols or bull-dogs. Who else told you anything about the use of them?—A. About the use of the pistols?

Q. Who else told you anything about what use these pistols were to be put to, or what they meant by using the term bull-dogs or boys?—A. Well, after the riot, then the names were particularly at large what they was called, and every time I heard the name of them called, or even now, it makes me think of Mr. Boisseau asking the question in there.

Q. Did you not say it was Mr. Vass explained to you instead of the clerk what it was?—A. I didn't say.

Q. Did you not say it was Mr. Vass who explained to you instead of the clerk what it was?—A. No, sir; I did not say that.

Q. It was his clerk?—A. It was the clerk.

Q. Did you ever hear that clerk's name; would you know it if I were to remind you of it?—A. Well, if I have heard his name called it has passed my recollection at this time, but I know his face whenever I see it.

Q. How often have you been in that store?—A. Well, I couldn't tell you.

Q. Very often?—A. Yes; because I get all my nails pretty much there.

Q. How many clerks were there?—A. Some four, or five, or six.

Q. Was Mr. Meeks the man, you think?—A. I can describe him, what size man and what condition.

Q. Do you know the names of any of the clerks—

By the CHAIRMAN:

Q. Cannot you describe him?—A. That is what I was going to do; he is a tall spare man with a clean face. I think he has got a litte sign of a mustache coming along here [indicating his lip].

By Mr. VANCE:

Q. Was it Mr. Green, a tall spare man with a little light mustache?—
A. Yes, sir; I think just beginning to come.

Q. A young man?—A. Yes, sir.

Q. His beard was not well-grown?—A. No beard at all.

Q. Do you recollect the color of his hair?—A. I do not.

Q. Now, you have been trading there for years and do not know the name of the clerk in the store?—A. I know Mr. Allan Fox, I think that is the name of one of the clerks there.

Q. It was not he who told you this?—A. No, sir.

Q. He is the only man whose name you know in the store?—A. I know Mr. Vass.

Q. I mean of the clerks?—A. Yes, sir; you see I never inquire for the man's name when I go to get what I want, I just go and call for it, and get it, and go on out.

Q. What was the name of Mr. Shelton, who you said told you the whites intended to rule the town?—A. I can tell you the name he has been called by, even in North Carolina, before he came to Danville—W. N. Shelton.

Q. Is he now living in Danville?—A. Yes, sir.

Q. Where was it that you saw him Friday night?—A. I saw him in his passage.

Q. Of his own store or house?—A. It was at his house.

Q. At home?—A. Yes, sir.

Q. What did you go up there for?—A. I was on that side of the street, or I was on my way home.

Q. You didn't go into the house?—A. No, sir; I didn't even stop. I heard that sound that made me stop then. I never heard Mr. Shelton talking in any such way as that before, that is what made me stop.

Q. Was he in his door or in the passage?—A. In the passage.

Q. Who was he talking to?—A. I don't know.

Q. Did you see anybody?—A. I did not.

Q. He was talking to a man?—A. I don't know that.

Q. But you heard him say "We whites are going to rule this town"?—
A. "Or kill the last nigger."

Q. "Or kill the last nigger"?—A. That is what he said.

Q. How far was the passage of the house from the street?—A. I suppose it is—about, I reckon it is—about fifty.

Q. Fifty what?—A. Forty or fifty feet I reckon; it may not be that far.

Q. He must have been talking pretty loud?—A. He was.

Q. Declaiming to somebody?—A. It was in the passage, it was not out in the yard.

Q. He is generally a loud-talking man, is he not?—A. I never heard him speaking that rash before in my life, and I have been acquainted with him ever since I have been—

Q. His manner was not generally that of a loud talking man?—A. No, sir.

Q. How long have you known him?—A. I have been knowing him ever since—let me see—I reckon I have known him—

Q. Well, you have been well acquainted with him?—A. I know one thing, I was just about fifteen years old. They put me to driving a wagon—

Q. Oh, well?—A. To carry tobacco down to his factory at Yancey. That is the first place that I was informed, that was Mr. Shelton.

Q. Oh, that is taking up time for nothing.—A. That is what I thought.

Q. Well, you will take it up. I asked you how long you have known him, and you have not told me yet.—A. I have told you I have known him ever since I was fifteen years old, and I am now forty-two. You can count it for yourself.

Q. Now, Yates's store—on Sunday you passed by there and saw two white men coming up the railroad.—A. I didn't say I passed by there. I say I was at Mr. Yates's, up there at his store by the dry bridge, waiting for the procession to come on.

Q. Did you leave the house?—A. It is a colored people's house, and I would go there, and they are living in it.

Q. Did you leave the house?—A. Yes, sir; when I went to the cemetery.

Q. Then you passed on by, didn't you?—A. No, sir; I left the bridge and the store behind me going from it.

Q. Was that house between your house and the cemetery?—A. Oh, no.

Q. Was not it?—A. No, sir.

Q. You say you were waiting there for that procession to go on to the cemetery?—A. Yes, sir.

Q. Where was the house from you then?—A. When I was at my house—the house which I went to was in the direction of southwest from my house, and the cemetery was back southeast. No, it is not southeast, it is northeast.

Q. You went then to that house to wait for the procession to come by, didn't you?—A. Yes, I went there with this view, thinking that the procession would come by that way, and sure enough it did come that way, but I was there so long that I concluded that the procession had gone down by me around up to the cemetery, and then I said I had waited there for the procession and I expected it had gone the other way and I would go on down to the cemetery.

Q. You went on down yourself?—A. I waited to——

Q. You answer my question, and don't take up so much time. You went from that house that belonged to Mr. Yates down toward the railroad, and there you saw two men; which way were they going?—A. Coming up towards the bridge.

Q. And as they turned past you, to go past you, you heard this expression that you have made use of?—A. Yes; they had not got exactly to me then. They were as far from me when they made that expression as you are to Mr. Berkley.

Q. Well, they saw you didn't they?—A. Of course they saw me.

Q. And they said they had not got the men they aimed at?—A. Yes, sir; and I will say this much, I don't know as they aimed for me to hear them, but they looked up and saw me, and said no more till they got up on top of the ridge.

Q. They stopped talking then and said no more until they got on top of the ridge?—A. Yes, sir; and then I was as far from them as from here to outside of this house.

Q. How many feet do you suppose?—A. I suppose I was about between 50 and 75 feet from them.

Q. Then, did they resume the conversation?—A. I couldn't tell you, because I was going away from them, and they were going from me.

Q. And they gave you a list?—A. They didn't aim to give it to me.

Q. Well, you heard it. What are the names of the men they aimed at?—A. Squire Tollifairo, Pleasants, Batts, and Jones. These were the four men this clerk of Hamlin & Hinton called.

Q. You didn't know the names of the men you met?—A. None, but the face of this clerk from Hamlin & Hinton's. I would know him in New York.

Q. What sort of a man was he?—A. A little spare made fellow, black eyebrows and heavy mustache.

Q. A young man or old one?—A. A young man.

Q. The other man you didn't know?—A. No, sir.

Q. But you had seen this man clerking at Hamlin's store?—A. Yes, sir.

Q. When?—A. I saw him, I suppose—I disremember when Mr. Guerant gave me the last order; I think it was in September, though.

Q. Some time soon before the riot?—A. Yes, sir.

Q. Do you know whether he was clerking there at the time of the riot?—A. I do not.

Q. What sort of a store does Hamlin keep?—A. He keeps a dry goods store, I think.

Q. Don't keep hardware?—A. Well, he kept nails in there, and such things as that.

Q. Then you sent word by a boy, whose name you do not know, there?—A. Certainly.

Q. To Jones—the boy waited on Jones—to Jones and all the balance of them to look out?—A. Yes, sir.

Q. That was Sunday after the riot?—A. Yes, sir.

Q. Now, where was it you met Captain Graves; at the election precinct?—A. Yes, sir.

Q. Wimbeshere's?—A. Yes, sir.

Q. You asked him about the report that the people of Danville were going out to mob the colored people at Jackson?—A. Yes, sir.

Q. He told you candidly that they were going?—A. Yes, sir.

Q. Told you all about it?—A. He would not tell me who it was that brought it; that was what I wanted to know.

Q. Who it was that brought the report; that is the man that you were after?—A. Yes, sir.

Q. That they really had decided to mob Jacksonville?—A. Yes, sir.

Q. And that the riot was not near done with?—A. Yes, sir.

Q. And if it was ever started again they didn't intend to spare any colored people?—A. Yes, sir.

Q. He told you that?—A. Yes, sir.

Q. Told you not to say anything at all about it, didn't he?—A. No, sir.

Q. And he said moreover that it had come on three days before they intended?—A. Yes, sir.

Q. They intended it on the day of election, didn't they?—A. He didn't say before they intended. He said this: it came on three days before they were expecting it. That is what he said.

Q. What did he say about his men having been practicing?—A. He said that Mr. Sims notified the town that he was going to speak there in front of the Arlington House on the old post-office steps; he was at his house when he saw the report. He mounted his horse and went down there and saw some of Sim's friends and told them to ask Sims not to speak there, but over in front of the court-house, and he didn't say that he didn't tell me even his cause. He said, "The reason why I sent him that word was because that was the night of my practice of my men."

Q. What kind of practice?—A. He didn't say.

Q. Was not that the place where the Democratic club held its meetings?—A. I don't know; he just said practice.

Q. I say that the place he indicated is where the club held its meetings?—A. I didn't know that; I didn't know there had been a meeting there at all, only from what he said that day.

Q. What place did he indicate?—A. He said the old post-office, the place where his men practiced, had been practicing there for two or three weeks.

Q. In the street?—A. No, sir, in the old post-office. He said that Mr. Sims spoke there——

Q. Well, the armory building is in the old post-office, is not it; Gray's Armory, as they call it?—A. I don't know; I couldn't tell you nothing at all about that.

Q. Don't you know where the club held its meetings, in Gray's Armory?—A. I don't know nothing about that.

Q. And made speeches and so on?—A. I don't know nothing in the world about it.

Q. You don't know that is the same building as the old post-office?—A. I do not; he didn't tell me so; all he told me was that that was the night of his men's practice.

Q. And he sent word to Sims not to speak on the steps of that building because his men were practicing there?—A. Yes, sir.

Q. What did he say to you about the night Sims was speaking?—A. He said that a little more, it would have been that night over there in front of the court-house. He said if he hadn't worked so hard there is no telling how many men would have been killed that night in the crowd, for his men were formed in line from the old brick building up to the hall there.

Q. The night he spoke?—A. Yes, sir.

Q. His men were formed in a line that night from where?—A. The old brick building.

Q. What did he mean by that?—A. I suppose he meant that house that is called Brick Row.

Q. From the old brick building up to where?—A. The hall.

Q. What hall?—A. I think it is called 'True Friends' hall.

Q. Do you know where that hall that he alluded to is?—A. Of course I know where the house is. I have been in it a good many times preaching.

Q. What street is it on?—A. It is on Patton street, I think.

Q. Where is that brick building?—A. I think it sets in front of a widow lady's house. Of course she is dead now, but then she owned the property before.

Q. On what street?—A. It is on Patton street.

Q. How long was the line the way he said it was drawn up?—A. I suppose it is about from the corner of this brick building to this hall. I reckon it is about 50 feet.

Q. And he had a line 50 feet drawn up according to what he said?—A. He didn't say that they were drawn up. He said his men was in a line from this old brick building up toward that hall.

Q. He didn't say it reached to the hall?—A. No, sir.

Q. Why did he say there was no disturbance at night?—A. He said he had to work hard to keep these men down.

Q. He had to work hard to keep them down?—A. Yes, sir. I am only just telling you what he told me. I don't know anything about it.

Q. Did he say he had drawn the line up or the men had drawn them-

selves up?—A. He didn't say whether he placed them there or whether they placed themselves.

Q. Did he say he had these men in a line?—A. He said these men were in a line, and he didn't say he had them.

Q. Was not that what you said on your first examination?—A. I reckon not.

Q. You voted on that day, did you?—A. I did.

Q. Did anybody offer to interfere with the free exercise of your right?—A. Not with me; but the question was passing up there, and I heard the words passed. I then made myself a kind of a committee, went around amongst the people up there and told them that those gentlemen were talking to Jeff Ingraham, not to interfere with Jeff on that day, because these men had told Jeff right there that any person who interfered with him in the least they were ready to back him in anything he wanted to do, and all he had to do was to report to Captain Graves.

Q. Who was Jeff?—A. Jeff Ingraham, a colored man.

Q. What was he doing or wanted to do?—A. Well, on the election up there, there was a little row of some kind—I am not able to tell; I just heard it, and it is in court now—with Jeff and some of the men.

Q. What was it you said Jeff wanted to do?—A. I don't know that he wanted to do anything.

Q. You said that some one told him that he must call on Captain Graves. I didn't exactly get what you meant.—A. Two men came up there in a buggy and rode just a little beyond Jeff's house; then they called Jeff to them and Jeff went to them, and they said to Jeff if anybody interfered with him all he had to do was to call upon Captain Graves, for they was ready to back him in anything he done.

Q. Well, this was a colored man who was a Democrat, wasn't he?—A. Well, of course.

Q. Of course he was a Democrat?—A. Yes, sir.

Q. Now, who had been threatening to interfere with Jeff in his right to vote there?—A. I don't know of any one.

Q. What made it necessary for these white men to go and assure him they would protect him?—A. On account of this disturbance there before.

Q. That was a scare for Republicans not a scare for Democrats, was it?—A. I don't know that it was a scare for any person.

Q. It scared them all off, didn't it?—A. It didn't scare me off.

Q. Well, did Jeff have any fuss with them?—A. Didn't have a bit. Now, if you will just let me——

Q. Did he have any at the election?—A. It was so said; I wasn't there.

Q. Whom did he have the fight with then?—A. I don't know as it was a fight.

Mr. LAPHAM. He was not there he says.

Mr. VANCE. Well, he started to say he had one when——

The WITNESS. No, here is what I was going to state; I was going to state this, that Jeff himself came to us, a great party of us, and said, "Now," said he——

By Mr. VANCE:

Q. When?—A. That day of the election, after these men were gone, he says to us boys, "You see these white men now? They are straight after me on account that the riot was here before, between me and the man that was here the other day, George Adams;" and says he, "I am

going to disturb nobody ; and if you all don't say a word to me, why everything will go right ; I am compelled to vote like I am voting, for why ? I am compelled to vote like I am voting because these white people have got charge of everything I own, and if I don't do as they want me to do they will take everything from me ;" and he says, "Don't anybody bother me and I will interfere with nothing." He came to the crowd and says so.

Q. That was his excuse for voting the Democratic ticket ?—A. Yes, sir.

Q. Well, the fuss he had, or was said to have had, was with George Adams, wasn't it ?—A. Yes, sir.

Q. And it was on that account that those men assured him that they would sustain him ?—A. Yes, sir.

Q. And George Adams is a leading colored man there, is he not ?—A. I don't know that he leads anybody but himself.

Q. He was a leading colored man there at that precinct ?—A. I don't know what you mean by that.

Q. Well, it is rather a difficult question to understand.—A. Just explain it to me. I will answer to the best of my ability, of course.

Q. He was the most prominent colored man. He arranged for your election and distributed tickets, and so on ?—A. We would have first one and then another. We have election for these men who shall distribute tickets, and so on. We don't settle down on one man or two.

Q. Whom do you generally elect for that purpose ?—A. We have a fellow by the name of Johnson, Fletcher Trice, and Moses Smith, and Charlie Smith, George Pen, Edward Hatchet ; we have first one and then another.

Q. Did you ever have George Adams ?—A. No ; he is not down in our part of the town.

Q. He votes at that precinct, though, don't he ?—A. Yes ; way up to Lovetown.

Q. He votes at Wimbersher's ?—A. Certainly ; they may have him for a kind of leader up there about Lovetown. We can't tell anything about that down where we are.

EMANUEL HARVEY sworn and examined.

By Mr. LAPHAM :

Question. Where do you reside ?—Answer. I live in North Danville.

Q. How long have you lived there ?—A. I have been there about four or five years.

Q. Where did you live before going there ?—A. I lived in, I suppose, about a mile of the corporation limits about five years ; North Danville.

Q. Are you a native of that county ?—A. Yes, sir ; bred and born within 5 miles.

Q. A native Virginian ?—A. Yes, sir.

Q. Were you a slave ?—A. Yes, sir.

Q. A single man, or have you a family ?—A. A family.

Q. What is your business ?—A. Carpenter.

Q. Do you carry on the business by yourself or work by the day ?—A. Work by the day.

Q. Do you own any property ?—A. No, sir.

Q. Where were you at work on the day of this riot, the 3d of November ?—A. I was at work on Union street on Mr. Holland's warehouse.

Q. What doing ?—A. I was building his warehouse at the time.

Q. What particular work were you doing that day ?—A. I was putting

on a set of joists on one portion of the house, and they were tinning the other portion of it.

Q. How many persons were at work there that day?—A. I suppose, as well as I can recollect, laborers and all, I reckon some thirty-five or forty.

Q. Give the names of those you remember.—A. I could not do that to save my life. Some of them I don't know the names.

Q. Tell those you do know.—A. There was Mr. Henry Davis, Burd Lipscombe, Paxton, a man by the name of Fawks Adam—but I couldn't call the names to save my life.

Q. Very well, you have given some of them.—A. Yes, sir.

Q. How many colored men were at work there?—A. About twenty-five colored people there.

Q. How many were at work on the building where you were?—A. Six or eight of us on that part where I was.

Q. How many white men were up there?—A. There was four or five

Q. Four or five white men and about what number of colored—more colored than white?—A. Yes, sir; may be more colored than white.

Q. In the afternoon were you there at the time the fire-bell rang?—A. I was.

Q. Tell just what occurred at that time.—A. When the fire-bell first tapped we never thought it was nothing more than a little fire.

Q. You supposed it was a fire?—A. Yes; and two or three speaking to one another says, "There is another fire in town." In, I suppose, five minutes' time, or less than that, it couldn't have been five minutes, one of the tinnings jumped down and says, "There's a riot up town;" and the tinnings all jumped down and run up on the street.

Q. White men?—A. Yes, sir; and I suppose in about, probably, may be fifteen minutes, we heard a mighty shooting, and saw the people come running on down Union street—women and men and children—and heard some of them say, "There's three men on the street dead, and some four or five shot." At that time I was so confused that I couldn't hardly work. I was afeared to go up on the street—afeared to get shot—and at 6 o'clock we knocked off at work, and I don't remember that I saw three white men on the street, outside of the military company there—white company.

Q. I don't care about all that. What occurred at the time the fire-bell rang?—A. These men jumped down off the building and run up town.

Q. What men?—A. The tinnings.

Q. They were white men?—A. Yes, sir.

Q. The boss tinner—what did he say?—A. He said there was a riot up town.

Q. What did he say about the fire?—A. He didn't say anything about the fire.

Q. Did you continue to work?—A. Yes, sir; I continued to work until 6 o'clock.

Q. And the other colored men who were with you?—A. Every one; didn't none leave at all but them tinnings, as I know.

Q. Did the white men who left—the tinnings—come back to work?—A. No, sir; they did not.

Q. Didn't return to work that afternoon?—A. No, sir.

Q. Did all the whites who were there leave?—A. No, sir; didn't none leave to my knowledge but them tinnings.

Q. You don't know probably whether those below left or not?—A.

Some quit at dinner-time, but when the bell tapped, they staid on at work, except the tanners.

Q. You didn't see any part of the riot?—A. No, sir; I didn't see any part of it at all.

Q. Did you see any of those who were shot?—A. They just took them up and carried them along. I saw the vehicle go along with the last one as I came up the street.

Q. Did you see any of them at any time after they were shot?—A. No, sir; I didn't get near enough to see them at all. I saw the blood on the street there.

Q. You heard firing then, after the bells rang?—A. Yes; in five minutes after the bells rang I heard the pistols go bo, bo, bo [illustrating], just as fast as they could.

Q. Did you see people running on Union street?—A. Yes, sir; just as thick as 6 o'clock at night.

Q. Colored people?—A. Yes, sir.

Q. Anybody in pursuit of them?—A. No, sir; nobody on Union street; that was some little distance from Main.

Q. The colored people were running in crowds down Union street?—A. Yes, sir.

Q. Were they all men, or men, women, and children?—A. Most of them was women and children that I saw.

Q. Running down that street?—A. Yes, sir; and perhaps there was a few men with them.

Q. Did you vote?—A. No, sir, I did not.

Q. What reason was there why you didn't vote?—A. My reason was this: I had been used to vote ever since I have been one and twenty years, with the ballot, and they had been using so many pistols that day I was afeared I might have to vote with the bullet, and so I wouldn't go.

Q. Had you registered?—A. Yes, sir.

Q. You intended to vote then?—A. Yes; I never miss a vote no time.

Q. And you vote the Republican ticket?—A. Yes, sir; and always expect to do it, too.

By Mr. VANCE:

Q. Where is the warehouse you were at work on; what street?—A. On Union street.

Q. What corner or place on Union?—A. It is corner of Union street and High street.

Q. That is some distance from Main street, isn't it?—A. Oh, yes; some distance from there.

Q. You say there were some thirty or forty others working on the house with you?—A. I suppose there was, with the laborers.

Q. Many of them white men?—A. Yes; there were some. I said there was some four or five, or may be more, working that evening; some few stopped at dinner-time.

Q. Were all the colored ones at work that evening?—A. Yes, sir; some of the laborers stopped. I don't know about all the laborers; I know all the colored worked.

Q. All the skilled workmen?—A. Yes, sir.

Q. You don't know how many of the laborers knocked off?—A. No, I don't know; but I know they were all there at dinner-time, but whether they worked all day, I don't know.

Q. What was the boss tinner's name?—A. I don't know what his name is; I know him personally, but don't know his name.

Q. How long has he been working there?—A. Working probably two weeks.

Q. And he had control of the workmen, did he?—A. He had control of them two hands that was with him.

Q. Were you working under him?—A. No, sir; I am not a tinner.

Q. What is your occupation?—A. I am a carpenter, and was working by the day for T. B. Fitzgerald.

Q. Where did that tinner live?—A. He lived in South Danville.

Q. Would you know him if you were to see him?—A. I would know him if I saw him, but don't know his name. He was a young man; hadn't come very long from Richmond.

Q. Can you tell the house he lived in?—A. No, sir; I don't know anything about that. A young man like that sometimes boards one place and sometimes another.

Q. Are you sure he is a boss tinner?—A. The other two were under his control; I judge by that that he was the boss.

Q. Are you not mistaken about hearing that bell ring before you heard the pistols fire?—A. I am not.

Q. Are you sure of that?—A. I know it.

Q. Are you not mistaken in saying it was as long as fifteen minutes?—A. I say probably it might have been.

Q. Wasn't it just about the time the bell rang?—A. When I heard the pistol it was after that bell tapped.

Q. You know it?—A. I am sure of it. I don't say that is when it commenced, but that is when I heard it.

Q. How long was it after you heard the bell ring that you saw the people running?—A. It might have been fifteen minutes after the shooting that I saw the women and children running down.

Q. Did you see any men?—A. I saw a few men.

Q. How long did the pistol shooting last?—A. I reckon from the time I heard it before it stopped it might have been a quarter of an hour. Now and then you could hear one shooting up and down the street—something of that sort—but it flashed away. It didn't appear to last ten or fifteen minutes, probably, and it may have been sooner; I can't identify it; somewhere near that time.

Q. You know the place in front of Woolfolk & Blair's office, where the firing commenced, don't you?—A. Yes, sir.

Q. From there to where you worked how far is it?—A. I can estimate the place. To be correct, I suppose it might be something about a quarter of a mile; I don't reckon it is a quarter of a mile, but, as near as I can come at, somewhere about a quarter.

Q. Somewhere about 400 or 500 yards from High street. You went to Spring street, didn't you, from Mr. Holland's?—A. Yes, sir.

Q. Is High street next to Spring street?—A. It is, going down the river.

Q. Coming down, now, the nearest way you could come from where you were at work, to Woolfolk & Blair's, which way would you come; would you go down Union?—A. The nearest point from where I was—you would not have any cause to go to Union street; go right across Holland's lot and Gerst's lot.

Q. Were those streets open so you could cross?—A. No, sir; couldn't cross; but that would be the nearest point.

Q. I mean the nearest way that is usually traveled. Take Union street, and go down and cross Spring street, the next one———A. Yes; at Mr. Holland's tobacco factory.

Q. And then the next street is Main street, isn't it?—A. The next street leading right from Spring is Main.

Q. Now, that is, two blocks will take you into Main street, and then when you get into Main street you would turn south, wouldn't you, to go down to Woolfolk & Blair's?—A. Turn to your left, right down Main; after getting into Main street, at the Arlington House you turn to the left down to Woolfolk & Blair's office.

Q. Would you cross Market before you got to Woolfolk & Blair's?—A. No, sir; not going from the Arlington down to Woolfolk & Blair's office—not unless it is changed since I was there.

Q. You would go to Main street, by the Arlington, wouldn't you?—A. Yes, sir.

Q. And then you turn to your left?—A. Yes, sir.

Q. And go up three parts of the way on the next block, and there you are at the office?—A. You go down; you have been on Main street, haven't you?

Q. No, sir; I am not acquainted with the city. These two full blocks will take you into Main street, and this three-quarters of a block would take you to Woolfolk & Blair's. That is two blocks and three-quarters?—A. After turning the corner, or do you mean straight forward?

Q. No; that is the way you have to walk if you follow the streets?—A. Oh; if you follow the streets? I don't know about blocks or miles. I am not much of an engineer—never followed that trade—so I would not like to tell you.

Q. You know the size of blocks—the number of feet they are?—A. No, sir; I don't know anything about it. I live there, but don't know anything about the number of feet.

Q. At all events, when you come into Main street from Union and turn to the left towards Woolfolk & Blair's, you don't cross any other street before you get to Woolfolk & Blair's?—A. No, sir; there is no vacant place there, the stores there take up all the land.

Q. You don't know who this tinner lived or boarded with?—A. I don't know anything at all about him. I wouldn't like to say.

Q. Whose employment was he in?—A. I reckon he was in Schoolfield's. I don't know who he was working for; I know he was working.

Q. Did Mr. Schoolfield do tinning for houses there?—A. Oh, yes.

Q. You think this boss tinner that you spoke of was in the employ of Mr. Schoolfield?—A. I reckon he was; don't know whose employment he was in; I reckon he was.

By Mr. LAPHAM:

Q. You were up on the roof, the top of the building, were you not?—A. We raised the house about half way.

Q. Where you this day; just answer my question; were you up on the roof—the top of the building?—A. I was down on the lower floor. We were raising the rear part of the house on the first floor joist, put the joist up to put the floor on.

Q. But over the first floor?—A. Yes, sir.

Q. How high from the ground?—A. I was about 30 feet.

Q. You were about 30 feet up from the ground?—A. Yes, sir.

Q. Now, in a direct line across to Woolfolk & Blair's office, how far was it from where you were?—A. It couldn't have been, I don't suppose, as near as I can come at it—I wouldn't like to say—I suppose it is something under a quarter of a mile, the nearest direction from Woolfolk & Blair's office where I was to work at.

Q. You heard firing there after the fire-bell sounded the alarm?—A. Yes, sir.

Q. Quick firing at first?—A. Yes, sir.

Q. And then occasional shots?—A. Yes, sir.

Q. And the people came running down street after the bells rung?—A. Yes, sir.

By Mr. VANCE :

Q. What bell was it that rang?—A. The regular town-clock bell, which always rings in the general fire-alarm.

Q. Where is that?—A. On Patton street, leading, fronting Union street.

Q. Was it in the court-house?—A. Yes, sir.

Q. Was the bell nearer to you than Woolfolk & Blair's office, or farther off?—A. It is about the same distance. Probably I might have been a little further off from the fire bell than the riot.

JAMES BRUCE sworn and examined.

By Mr. LAPHAM :

Question. Where do you reside?—Answer. I live in Danville.

Q. How long have you lived there?—A. I have been living there between ten and eleven years.

Q. Where did you live before going there?—A. I used to live in Halifax.

Q. Halifax, Virginia?—A. Yes, sir.

Q. Were you born there?—A. Yes, sir.

Q. Were you a slave?—A. Yes, sir.

Q. Have you a family?—A. Yes, sir.

Q. What property have you?—A. I have got about \$3,000, I reckon, if it was all paid for.

Q. Real estate?—A. Yes, sir.

Q. What is your business?—A. I am a huckster on the market.

Q. How long have you followed that business?—A. About eight years.

Q. Were you a huckster there at the time of this riot in November last?—A. Yes, sir.

Q. Did you see anything of the contest?—A. Yes, sir.

Q. Now, state what you saw; describe it briefly.—A. I was in my stall on the Saturday that the riot took place. I heard some one say that there was a fight upon the street; saw the people running from all directions, going up in that direction. Presently a man came on by and said there was a man shot. I asked, "Did it kill him?" He said "No."

Q. A colored man or white man?—A. This was a colored man that spoke. After awhile another one came on, and said they had killed Hense Lawson. I then walked out the stall—walked up to the corner at Jones's drug store.

Q. Corner of Market and Main?—A. Yes, sir; and when I got up there I suppose it was about fifty or sixty colored people in a huddle standing pretty well in the middle of the street, closer on the sidewalk on the other side than it was on this side, and about ten or fifteen white gentlemen standing over on the other side on the sidewalk. In the door of Mr. Blair & Woolfolk's Mr. Dance was standing with a double-barrel shot-gun in his hand, holding it in an attitude like he was going to shoot. I staid there a few minutes, and this time the people was coming from all directions, every which way, white and black, women and children, just like they do when any other excitement occurs in Danville—a dog fight, chicken fight, or anything that ways.

Q. Were they coming from the opera house?—A. Some was coming from the opera house, some coming from every which way.

Q. White and black both?—A. Yes, sir. I staid there for a few minutes, and looked down the street and saw so many people coming with guns and pistols. I then at this time——

Q. Who had guns and pistols?—A. The white people.

Q. Did you see any colored people with arms?—A. Not a one.

Q. Go on now.—A. This time that the factory opposite Mr. Jerry Nicolas let out; there is a large quantity of colored people work in these factories.

Q. Tobacco factories?—A. Yes, sir. This time they let out, and was all coming rushing right on to the scene.

Q. What description of people—men, women, and children?—A. Yes; boys and girls with buckets and baskets.

Q. How many work in that factory?—A. There is three or four factories around there.

Q. You spoke of one that let out about that time?—A. Pretty near all of them had let out then. A large assembly assembles there every Saturday evening, but not directly in front of Woolfolk & Blair's. They meets towards the market, and as they come up it seemed like their attention was called to the action taking place.

Q. Did you see anybody distributing guns or pistols?—A. When I looked down the street I saw one man; I don't know how many guns he had; I thought he had some five or six, and handed them first to one man and then another.

Q. White men?—A. Yes, sir; and I heard some make the remark; they says, "all get off the street," and I turned to get off the street, too.

Q. Did you see Mr. McCully?—A. Yes, sir. Mr. McCully came up the street with a gun in his hand, and I think Mr. Shadbow also, right in the middle of the street.

Q. Did the white people, those who were around, gather together there in a group?—A. Oh, yes; they were on one side of the street on the sidewalk, and the colored were in the middle of the street. Part was in the middle of the street and part was near towards them.

Q. Now, you saw all this that you have described before the firing began?—A. Oh, yes; this was before any, but not before——

Q. I mean before the general firing?—A. Yes; one pistol had already shot before I got there.

Q. That occurred about the close of the fight between Noel and Lawson?—A. Yes, sir.

Q. But with that exception there hadn't been any shooting?—A. No, sir.

Q. Up to the time you saw them distributing the guns, as you have stated?—A. Yes, sir.

Q. Did you see any colored people armed?—A. None at all.

Q. Now, what did you hear said, if anything, by the white people about the colored people?—A. Oh, well——

Q. Right there at that time I mean.—A. I don't recollect as I heard them say anything, not at that time.

Q. Well, before the firing commenced, did you?—A. I don't recollect anything, sir; not that I heard said personally from any of them.

Q. Where were you when the firing commenced?—A. When I heard some one say, I don't know who it was—I thought it was Mr. Hatcher, he says, "You all get off the street," I turned and went on off the street. I went down to my place of business and waited on two or three peo-

ple, and at this time the firing commenced; horses, and wagons, and children, and everything was running just as hard as they could run.

Q. Now, describe the firing when it began—how did it sound to you?—

A. I thought it was a pack of squibs set fire, they all went off so nigh together.

Q. It sounded like that?—A. Yes, sir.

Q. Rapid shots in succession?—A. Yes, sir; I heard one or two big shots, I thought.

Q. Musket shots?—A. I couldn't tell whether they was muskets or guns.

Q. Well, guns as distinguished from pistol shots?—A. Yes, sir; sounded louder.

Q. You didn't go up to the scene of the disturbance; you staid at your market?—A. I had been up there and done gone back.

Q. After you went back, I mean.—A. No, sir; I never went there any more.

Q. When that firing began, did the people come running down that street?—A. Yes, sir; come through the market in solid mass, horses, wagons, and everything come together.

Q. The crowd that ran there—were they men, women, and children?—A. Yes, sir; some leading their wives, some dragging at the children, horses, hanging up the wagons in the market—general excitement.

Q. Did you hear any firing in Market street?—A. Yes, sir.

Q. Did you see anybody shooting there?—A. Well, after the crowd had left now, everything run off the market.

Q. I say did you see any one who was firing on Market street?—A. Well, I was trying to tell you then.

Q. It is easy to answer that question.—A. I saw some one fire, and I was going to tell you how I saw him.

Q. Well.—A. After this mass of people had run off the market, I was standing down in the market and I looked up the market. I saw Jack Redd coming down the market before Colonel Cabell, and, I think, Mr. Covington, and I thought Mr. Hatcher, and one of them shot, and I believe that the other was going to shoot, but the colonel stopped him, wouldn't let him shoot.

Q. Colonel Cabell stopped him?—A. Yes, sir; about that time I got excited. I thought they was going to shoot all.

Q. Now, had anything occurred in your business prior to this that led you to think there was a prejudice against the colored people there that was cropping out?—A. Yes, sir; I thought that was.

Q. Tell just what took place now in reference to your own business.—A. Well, before the election—

Q. How long before?—A. Probably a month or more—the citizens stop patronizing we colored people generally.

Q. Did any of them tell you the reason?—A. They told me the reason they didn't patronize us because they had passed a resolution in the club that they wasn't to patronize us.

Q. Wasn't to patronize the colored people or Coalitionists?—A. Yes, sir.

Q. And your trade was taken away from you?—A. Yes, sir, to a great extent; our heaviest trade in the market consists of white people, of course.

Q. What description of people did you furnish?—A. We furnish any of them.

Q. Boarding houses?—A. Boarding-houses and citizens in general.

Q. Did any one make any proposition to you as to what they would do if you would join the Democratic club?—A. On one occasion they did.

Q. Who was it?—A. Mr. Jennings.

Q. What did he say?—A. He said he thought it would be better for us—now recollect this was after the election, this was not before the election.

Q. How soon after?—A. Probably a week.

Q. State it.

Mr. VANCE. I don't think that would bear upon the subject of the election. The object of this investigation is to ascertain——

Mr. LAPHAM. Yes, I supposed it was before when I made the inquiry. I won't press it if you object. (To the witness:)

Q. There was no proposition made to you before the election?—A. No, sir; not to me at all.

Q. But the trade had been taken from you?—A. Oh, yes, the trade had been taken from me.

Q. Was it by white people?—A. Yes, sir.

Q. Your white customers?—A. Yes, sir.

Q. Democrats?—A. Yes, sir.

Q. Have they ever come back trading with you since?—A. Yes, sir; to a great extent they have.

Q. Do you remember one occasion when you were passing the Democratic club rooms?—A. Yes, sir.

Q. How long before election was that?—A. I don't know exactly how long it was.

Q. It was during that campaign, wasn't it?—A. Yes, sir; some time during the campaign, a lot of us passing by the old post-office there—the Democrats had their club room up there—I heard some one speaking up there that night.

Q. Were the windows open?—A. Yes, I believe they were.

Q. What did you hear?—A. I heard one gentleman say in his speech that they intended to carry the election there either with fair means or foul.

Q. Could you recognize his voice?—A. I thought it was Mr. Henry Barksdale. I would not be willing to swear it was him.

Q. Who is Mr. Henry Barksdale?—A. He is a lawyer.

Q. Democrat?—A. Yes; I suppose he is.

Q. A leader in the Democratic ranks there?—A. I don't know their leaders.

Q. Well, an active politician?—A. Yes; he is connected with the party.

Q. About how long before this riot was that?—A. I don't know exactly how long it was. There has been excitement in Danville for some time any way—papers and circulars and things; a great deal of excitement in Danville—speaking going on.

Q. Did you see that circular we had here before the election?—A. I didn't see it in my own hands. I saw it in Colonel Sims's hands on Friday night.

Q. The night he made his speech?—A. Yes, sir.

Q. That is the first you heard of it, was it?—A. No, sir; it is not the first I heard of it.

Q. You had heard there was such a circular before that?—A. Yes, sir; I had heard there was such a circular out.

Q. Was it distributed around Danville?—A. Oh, no, sir.

WILLIAM JACKSON sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. Danville.

Q. How long have you lived there?—A. I went there in 1873, November 4.

Q. Where did you live before going there?—A. Halifax County.

Q. Are you a native of Halifax County?—A. Yes, sir.

Q. Were you a slave?—A. Yes, sir.

Q. Are you a single man or have you a family?—A. A family.

Q. A property owner?—A. No, sir.

Q. What is your business?—A. Huckster.

Q. In the market?—A. Yes, sir.

Q. How long have you followed that business?—A. I have been in that about—this makes the third year.

Q. You remember the day of this riot, do you?—A. Yes, sir.

Q. State whether you went up to the opera house that afternoon.—
A. Yes, I went up there.

Q. For the purpose of attending that meeting?—A. Yes, sir.

Q. Well, what was the result?—A. When I went upstairs, myself and five of us went up, as we had always been going, because we always liked to see both sides of the question, and that one we liked best we generally take hold of; myself and five of us went up there, and when we got to the door they says, "We don't want no niggers up here; this is a white man's meeting." And I says, "If you go to any person's house and they don't want you there you can always quietly go away." And says I, "We will go down street;" and so we turned and went down.

Q. Where were you about the time the firing began?—A. When the first shot was shot I was not present. I was on the market in my place of business. Hense Lawson and I having waited in a hotel together, someone told me he was shot. I went up street to see about it, if any other person was wounded, and about five or ten minutes I went across where he was and I found the fight had stopped, and still they kept talking and going on, and people kept gathering in from all parts, white and colored, and finally after it went on for some time Mr. Jeff. Corbin, Walter Withers, Bob Adams, and Mr. Freeman came, and he says, "You are getting too many of you all here; now you are crowding the sidewalk, so that ladies and gentlemen can't pass." Some of the fellows said, "I think its right to make all the whites as well as the colored. We all have to pay taxes, of course, as much as we are worth, and we think you ought to make both parties disperse." At that time Ned Hatcher was on the sidewalk, came upon the street, and says, "I see that you are all in for a fuss." Some of them says, "No, we aint in for no fuss. We simply just want—we don't want no fuss, but we are simply here to see how Hense got shot, or see whether he got shot or not." At that time he was on the sidewalk. The street runs just like my cane, like now [illustrating], with the white people here and we sort of in the middle of the street. Mr. Hatcher comes out from the sidewalk over to where we were and says, "I see you are all in for a fuss." They says, "No; we don't want no fuss." He says, "By God, if you want you can have it." That time about twenty-five or thirty men from those on the sidewalk, about fifteen men come just that direction in double line, and somebody spoke in the crowd, "Are you ready, boys?" and when he said that I reckon about twenty-five or thirty, as near as I can remember,

got their pistols out just in this direction [illustrating], and when the word was given "fire" I was standing then right in front of them, not right in front, but sort of in the rear.

Q. You were standing where you could see them plainly?—A. Oh, yes; and when they said "fire" I reckon about twenty-five or thirty fired off at once, just as you hear persons strike a drum. They all went off that way.

Q. Where did they aim?—A. They first took their pistols in their hands. I was sort of amazed to think that a parcel of good citizens going that way. It struck me so; I was not noticing at all, and when they said "fire" they had pistols in this direction [illustrating], and when they said "fire" I turned and run. Whether they fired in the air or down I cannot tell.

Q. Did the crowd run then?—A. Yes, sir; then I run right down in front of Mr. Jerry Nicolas's, and after I got there I went down Spring street.

Q. In which direction did the colored people run?—A. They went every direction.

Q. What was the character of the crowd of colored people there?—A. Of course, just as it always is when they have a fight—man fight or dog fight or anything.

Q. Never mind about that. What character of people were there?—A. All characters, certainly, as I tell you; most of them was men and boys.

Q. Were there women also?—A. Women wasn't there, I don't think, where the firing was, but they was on the market; I reckon some 25 or 30 yards off, at the market place.

Q. Did you receive any warning about going there that day?—A. No, sir; I did not, only I heard it rumored about that some white people who had servants employed advised them not to be out on the streets that evening, but for what purpose I don't know.

Q. The reason was not stated?—A. No, sir; I didn't ask them at all, but they was warned not to be out on the street that evening.

Mr. VANCE. That is hearsay, I reckon.

A. Of course I stated I heard them say it; but, as I was going on to say, when I got to the corner of Jerry Nicolas's I turned and saw Captain Graves standing right at the corner of Main and Spring streets; that he shot twice in the same direction that I was going.

By Mr. LAPHAM:

Q. Did you see any colored people with arms?—A. No, sir; I only saw one colored man with a pistol the whole time.

Q. Who was that?—A. Davis Lewellyn.

Q. A white-handled pistol?—A. A white-handled pistol, and the way I saw that—

Q. Was he using it at all?—A. No, sir; he didn't use it at all.

Q. Where did he have it?—A. He had it in his pocket, and had taken it out.

Q. And put it back in his pocket?—A. Yes, sir; took it out of his pocket and put it back again. The reason why he got it out was, Mr. Taylor had his, and shook it in his face, and asked him if he wanted its contents, but he said no, he didn't care anything about it, but he had one himself, pulled it out and showed it to him.

Q. Was there anything said by white Democrats to you about how the colored people should go to the polls election day?—A. No, sir.

Q. You didn't hear anything about their going unarmed to the polls?—

A. Well, sir, to come to the real question——

Q. One moment. Was there anything said to you on that subject?—

A. Not at all.

Q. It is only what you heard from others?—A. Yes, sir; of course no one ever spoke to me at all about the election in any shape, form, or fashion.

Q. You didn't talk with any Democrat about that?—A. No, sir; I never talk with them at all.

Q. Did you hear from any white person anything on the subject of this riot, or the probabilities of its going to occur, before it did take place?—A. I stated just now all that I learned about it. I heard it rumored about, but to a positive fact I don't know.

Q. You only heard rumors of it?—A. Yes, sir; that is the only evidence I had at all.

Q. Didn't you hear Democrats talking about it two or three weeks before?—A. Of course you know I went to one or two of the Democratic meetings.

Q. Did you hear them say anything by way of threat as to what would be done with the colored people?—A. I don't really think I did.

FILMORE HUGHES sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. I live in Danville.

Q. How long have you lived there?—A. Since 1867.

Q. Where is your native place?—A. I was born in Henry County?

Q. Virginia?—A. Yes, sir.

Q. What is your age?—A. I will be twenty-four the 4th day of May.

Q. Are you a single man?—A. No, sir.

Q. You have a family?—A. Yes, sir.

Q. Have you any property?—A. No, sir; no real estate.

Q. What is your business?—A. I am a barber.

Q. How long have you followed that business?—A. I have been in the barber shop since I was nine years old.

Q. Your customers are mostly white people, I suppose, are they not?—A. Yes, sir.

Q. Do you know Thomas Lea?—A. I do.

Q. Did he belong to the military company there?—A. I don't know.

Q. He is called Major Lea, is he not?—A. Not to my knowing.

Q. Tom Lea he is called?—A. Yes, sir.

Q. Has he been mayor of North Danville?—A. North Danville? I think he has.

Q. Did you hear a conversation between him and Mr. Pace a week or two before the election?—A. Well, Mr. Lea is in there very often, two or three times a week, and he talks a great deal.

Q. Was there one occasion when you heard a conversation between him and Mr. Pace?—A. I don't remember.

Q. Well, between him and any one in your shop?—A. Well, Mr. Lea generally comes in there; has something to say to anybody who is in the shop.

Q. Now you know what I refer to.—A. Sir?

Q. You know what I refer to. Did you hear him say anything about how the election was to be carried?—A. No, sir; I did not.

Q. Didn't you hear him say anything about what was to be done?—A. I heard him talking a great deal about the election and one thing or

another, but didn't pay much attention to what he was saying. Mr. Lea is a very bitter Democrat, and he generally talks very rough when he talks anything at all about politics, but as to remembering anything that he said, to remember word for word anything that he said, I don't remember.

Q. Do you know Mr. Johnston, mayor of Danville?—A. Yes, sir.

Q. Do you remember what you told him you heard Lea say?—A. I remember a conversation between Mr. Johnston and myself.

Q. Do you remember what you said to him you heard Lea say in your shop?—A. Yes, sir.

Mr. VANCE. Is it in order to impeach your own witness?

Mr. LAPHAM. No; it is not to impeach; it is strictly in order to call his attention, as I understand the rule, to what we claim he said on a certain occasion by way of refreshing his memory.

The CHAIRMAN. By way of refreshing his memory, but it would not be competent to prove by Mr. Johnston what he says.

Mr. LAPHAM. No; but it is simply to refresh his memory. I don't claim I have a right to show by him what he said to Johnston; only I call his attention to the fact that he had a conversation with Mr. Johnston.

The WITNESS. Yes; I remember.

Q. Now, having called your attention to that, I asked you if you did not hear Lea say how they intended to carry the election?—A. No, sir; I did not.

Q. Anything on that subject?—A. I went up to shave Mr. Johnston; I will tell you just how that is.

The CHAIRMAN. No; not what occurred between you and Mr. Johnston.

The WITNESS. You want to know the conversation between Mr. Johnston and I?

Mr. LAPHAM. No; I want what you heard Lea say.

The WITNESS. Well, to tell the truth, I don't remember what Mr. Lea did say. Mr. Lea comes in there so often, and has something to say to everybody that comes in the shop, that I don't remember it.

Q. Do you mean he talks so harsh you don't remember it?—A. He talks with everybody.

Q. He talks so harsh?—A. It is first harsh and then humorous.

Q. Have you talked with any one since you came here?—A. About what?

Q. About what you would testify to.—A. No, sir; only one gentleman I spoke to about what I knew about the riot.

Q. Who was that?—A. That was Jones.

Q. A colored man?—A. Yes, sir.

By Mr. VANCE:

Q. What Jones?—A. W. H. Jones.

Q. Colored man or white man?—A. Colored man.

HENRY REED sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. I have been there about nine years.

Q. Where did you live before going there?—A. I lived in North Carolina.

Q. Were you a slave?—A. Yes, sir.

Q. Have you a family?—A. Yes, sir.

Q. What property have you?—A. Well, sir, I haven't got but a mighty little.

Q. What is your business?—A. I have been a corporation hand in Danville nine years.

Q. You work on the corporation?—A. Yes, sir.

Q. You remember the day of this riot, don't you?—A. Yes, sir.

Q. Who was your foreman?—A. Mr. Bendorf.

Q. Is he a white man?—A. Yes, sir.

Q. And a Democrat?—A. Yes, sir.

Q. Prior to this riot had he said anything to you on the subject of keeping off the street?—A. Yes, sir; he had.

Q. Now, tell the committee just what he said.—A. He told me that Danville had got into the worst fix that he ever thought it would be in in the world, and there would be a riot there, but liked us not to get hurt, but could not tell exactly when it was coming on, but he knew it was coming, and be wary of it, and on Saturday—

Q. One moment. Did he say anything as to who would be killed?—A. No, sir; he didn't.

Q. Did he say why he wanted you to avoid being on the street?—A. He said he didn't want any of his hands to get hurt if they could help it. He said they was all good hands and he was sorry to have them hurt.

Q. Were all his hands colored men?—A. Yes, sir; all his hands were colored men.

Q. When did he say this to you last?—A. The last conversation me and him had about the riot was on Saturday morning, and that occurred Saturday.

Q. Where was that?—A. Working on Craghill Creek.

Q. What did he say to you that morning?—A. He told me that the riot was in about at the door, to look out, for he didn't know what minute it would take place, but it might be every day, and to look out. I became so dissatisfied that at dinner-time I knocked off and didn't go to work any more; and went up to the post-office to see whether there was any mail for me.

Q. Where were you at the time the firing began?—A. I was right in it.

Q. Did you help Lawson in any way?—A. No, sir; when the alarm of murder was made I was coming from the post-office, and I run up to see what the alarm was.

Q. Didn't you help take Lawson up?—A. Yes, sir.

Q. Where was he when you first reached him?—A. He was laying on the street.

Q. Lying prostrate on the ground?—A. Laying on the sidewalk.

Q. What was his condition?—A. He looked like he was nearly dead. His face was all bruised; he couldn't see. They picked him up, and by this time people had collected all around, and Mr. Hatcher wanted to know what the niggers were all coming collecting up around Hense Lawson for, and some of them spoke and says, "Why, we come to try to protect him and take care of him and keep him from being wounded up, like he is bruised." He says, "My advice to you all is you had better go away from here as quick as possible." Some of them says, "We are not going to go." The white people on the sidewalk and we out in the street; and some of them says, "We are not going; we have got as much right to stand here as anybody else, and we aint doing any harm." He says, "Haven't we always been ruling in Danville?" and

some of them says, "Yes;" and he says, "By God, we expect to remain, don't we?" Some of them says, "Yes." He says, "I am going there where they are, and when I get over there you all can fire on them"; and he came right by me, and when he stepped by me I stepped back a little farther, and when he stepped over there he hadn't been over there two minutes before they commenced firing, and I was afraid to turn around, they were shooting so fast. I thought if anybody did shoot me I wanted to see who it was. I kept walking backwards and not turning around, and came very near treading on two little children that was there, and turned around and went in Mr. Graves's store, and when I got in there I thought I was safe in there, but before I got half way across the store they were shooting in the store, and I run out the back door.

Q. Who was shooting in the door?—A. I can't tell you.

Q. From what direction did the bullets come?—A. From across the street. There was an immense quantity run out the back door of the place, and me following the crowd. They were shooting so rapidly I turned to my left and went out on the market.

Q. When did the colored people start to run?—A. On the first shooting.

Q. As soon as the firing began?—A. Yes, sir; run in every direction, until they got back to his store, and kept on in the store.

Q. Did you see any colored people armed?—A. No, sir; I didn't see one armed.

Q. Do you remember any expression Hatcher used there?—A. Yes, sir; he was a cussin' there a long time. He was a cussin' there from the time Hense got hurt until the riot took place.

Q. Did he say anything about killing anybody?—A. Yes, sir; he did.

Q. What were his words?—A. He says, "When I come from where they are," he says, "you fire, and we will kill the last damned one of them."

Q. That was said before the firing, was it?—A. Yes, sir; before the firing commenced.

Q. Did you hear the order to fire given?—A. That was all he said, and he told them, "I am going over to where they are. When I get over there fire on them, and let us kill the last damned one of them." That is exactly what he said.

Q. Did you see any one who got shot?—A. Yes, sir; Mr. Holland's son got shot mighty close to me; as near as I am to you.

Q. Did you see on what part of his person he was hit?—A. No, sir; I did not, because I was so excited at the shooting.

Q. You did not see where any one was shot?—A. No, sir.

Q. Or whether it was with a bullet?—A. Not at that time I didn't.

Q. At any time before they were buried?—A. Oh, yes; after the shooting was over.

Q. Did you see on what part of the person any one was shot?—A. No, sir; not that got killed. I saw one boy that was shot on the jaw that was not killed.

Q. Was that a bullet wound?—A. Yes, sir.

Q. Did you hear any muskets or shot-guns?—A. After the shooting commenced it was such a noise I could not tell whether it was guns or all of them pistols. It was just a regular, general thing.

Q. Did the firing continue after the colored people run?—A. Oh, yes, sir; the firing continued until I got down on the market and went in a stall.

Q. Did the white people follow the colored people?—A. Yes, sir; followed them clear through the stores.

Q. Was there firing in Market street?—A. Yes, sir; when I got to Market street I went in a stall and staid there until the firing ceased.

Q. Do you know who was firing there?—A. No, sir.

Q. Were you at your stand that evening?—A. No, sir. After the firing was over I got out home and I went back on the market after the firing ceased, to get some rations.

Q. What time?—A. Just about before night.

Q. Was any threat made to you then?—A. Yes, sir; by the time I got back there was men on every corner with guns.

Q. What was said to you?—A. A couple of gentlemen said——

Q. By whom? Who said it?—A. Two white men standing there, put there for guards.

Q. You suppose they were?—A. I reckon they were. He says, "Old man, where are you going?" I says, "I have just come out since the fuss to see if I can get some rations for to-morrow." Says he, "You better make haste; I expect every damned one of you will be killed to-morrow; you better get in as soon as possible."

Q. What arms did they have?—A. They had guns.

Q. What kind of guns?—A. Shot-guns.

Q. Did you notice whether he had a pistol?—A. No, sir; I did not notice the pistols; but before I got back home——

Q. What was his manner in saying this to you? Did he say it loud?—A. Oh, just he spoke as if he was in earnest, which I reckon he was. He spoke it very loud, and I took his advice. I got out just as quick as I could; I got home, and staid home.

Q. You went home just as soon as you could get what you wanted?—A. Yes, sir.

Q. You did not trade in your stall that evening?—A. No, sir; I just traded where I could get something, and went home.

Q. How late do you usually keep open Saturday evenings?—A. Saturday evenings till 10 o'clock.

Q. You did not trade at all that night?—A. No, sir.

Q. Did any of the people in the market?—A. No, sir; I don't think they did; I know they did not.

Q. You went home, and staid there the rest of the night?—A. Yes, sir.

Q. Did you hear any firing in the night?—A. Yes, sir; I did up toward the dry bridge.

Q. How late?—A. I reckon it was between 11 and 12 o'clock.

Q. Guns or pistols?—A. They were guns.

Q. Did you hear any shooting from the white people?—A. I heard the white people say next day—I was up on the street——

Q. No; that afternoon?—A. Well, they were riding by my house. I live right on the street.

Q. Did you hear them say anything?—A. No, sir; I did not hear more than that—more than I heard them say this: They told me this next morning—that they would not allow more than two men to stand together talking on the street——

Q. Oh, I don't care for that. You did not hear any shooting of the white people the afternoon of the firing?—A. No, sir.

Q. How long did you say you had carried on that market?—A. I am a corporation hand.

Q. How long had you worked on the corporation?—A. I had been there about nine years.

Q. Who has been your superintendent (you have named the superintendent) at this time—Mr. Bendorf?—A. Yes, sir.

Q. How long had he been superintendent?—A. I have been working under him about seven years.

By Mr. VANCE :

Q. That was friendly advice Mr. Bendorf gave you, was it not?—A. Yes, sir; that was good advice he gave me.

Q. He stated that the town of Danville was in a bad fix?—A. Yes, sir.

Q. A great deal of excitement?—A. He said it all come from politics.

Q. Yes; bad feeling; and he advised all his hands to keep off the street, did he not? He did not want any of them to get hurt?—A. Yes, sir.

Q. And that a riot was sure to come?—A. Yes, sir.

Q. In consequence of that advice you quit work that morning at 12 o'clock, and went right up into the riot?—A. I quit work and started to the post-office. I heard somebody hollering "murder;" so I run down there; that is the way I got into it. Then I thought of myself.

Q. Then you thought of the advice that was given you. You were so frustrated by the advice that you received that you quit work?—A. Yes, sir.

Q. And then went right up on the street, where he had advised you not to go?—A. Yes, sir; he told me to keep off. I was trying to get my business straight. I thought it would be more apt to be that night than that day.

Q. You wanted to have your letters before the riot commenced?—A. Yes, sir.

Q. Keep up your correspondence. Where was Mr. Hatcher at the time you say he said "I am going over towards those men?"—A. He was standing on the sidewalk right in front of Mr. Woolfolk's.

Q. Was it on the other side of the street, the opposite side?—A. It was on the side of Woolfolk's office.

Q. And then he walked across the street, didn't he?—A. He was in the middle of the street, and they was on the sidewalk.

Q. Then he came over on the side of the street where the colored people were. Who was it besides Mr. Hatcher that advised the colored people to leave; to get off the street?—A. Well, there was not many white men, excepting Mr. Hatcher, as I heard, saying anything at all, although there was much noise; but Mr. Hatcher was the man that was doing all the talking pretty much.

Q. Didn't some one else say, "You had better get away?"—A. They might have said so; but I was paying attention to Mr. Hatcher particularly.

Q. Who was it the colored people were talking to when they said they had come there to protect Hense Lawson; to keep him from being "wounded up," as you expressed it, and said they had as much right to stay there as the white people had?—A. They were talking to Mr. Hatcher, because he asked them what they proposed to do about it; and they told him not anything, only they were trying to protect him from being trampled on so; that is the way it come up.

Q. You think they were talking now not to any of these other gentlemen. Did you see any policemen?—A. Yes, sir; I saw two policeman after the first pistol was fired.

Q. You had not seen—you were not there when the first pistol was

fired, were you?—A. I was there after the first pistol was fired; after they got through with Hense.

Q. I know; but was there a pistol fired in the scuffle?—A. Yes, sir.

Q. That was before you got there?—A. Yes, sir.

Q. When you got there did you see anybody else; did you see any policeman trying to get the colored people to go away?—A. No, sir, I did not.

Q. Did not see Mr. Freeman?—A. I saw one colored policeman a few minutes after I got there.

Q. What was his name?—The colored policeman, one of them, a big colored policeman, I don't know his name.

Q. Withers?—A. Withers; I saw him.

Q. What was he doing?—A. The colored people told him to stop the riot, and he kept telling them he could not do nothing.

Q. Did he tell them they had better go away?—A. Yes, sir; he told them the best thing they could do was to leave.

Q. They did not take his advice?—A. No, sir.

Q. Were the colored people rushing up all the time?—A. People kept rushing there from every direction to see what was the matter.

Q. Did you see any pistol in the hands of any colored man at all?—A. No, sir; I didn't see any colored man have a pistol at all.

Q. After you went home you say you came back just before night and some men standing at the corner with guns questioned you, and told you to get back quick; to get your rations and go home.—A. Yes, sir.

Q. Did they do that in a threatening manner, or friendly?—A. They appeared friendly. They asked me where I was going. I have always been raised to behave myself to everybody, and I spoke to them as politely as I could, and showed my manners to them, as I always do, and they did not look like they were any more mad with me than at anybody else.

Q. Now you know they were stationed there by the authority of the mayor, don't you?—A. Yes, sir.

Q. That firing you heard that night was up towards the dry bridge?—A. Yes, sir.

Q. How did you understand that firing came about?—A. I understood there was a parcel of colored people there shooting, and a parcel of white people shooting.

Q. Was that in the direction about the time, as alleged, one of the guard of mounted police was shot?—A. Yes, sir; that was in the time of it.

Q. When you saw Hense Lawson; when you got down there and found him, was he on the ground?—A. Yes, sir.

Q. Badly beaten, do you say, about the face?—A. Yes, sir; mighty badly wounded.

Q. Did not get up at all?—A. No, sir; he could not get up; he could not see even.

Q. He had not been shot, had he?—A. No, sir; not that I know of. His face was swelled up so he could not see out of his eyes; and he was bloody down to his waist.

Q. Did Lawson stay there until the general firing took place, or did he go off?—A. No, sir; they done taken him off before the general firing took place.

Q. He was not present then?—A. No, sir.

Q. Did you hear any colored man say that day that it was a fair fight, and the white man had whipped him?—A. I heard some white man mention it before the shooting commenced; said it was a fair fight.

That was when they were telling the colored people to go away; said it was a fair fight; to go away and to have nothing to do with them; that it was a fair fight, and this man had whipped him fairly.

Q. Did you hear any colored people deny that?—A. I heard some colored man speak, but I don't know who it was; said he did not call it a fair fight at all, because he beat his head all to pieces with brass knucks.

Q. You did not hear any colored man say it was a fair fight, and for everybody to go home?—A. No, sir.

JOHN HOLDERNESS sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. I live in Danville.

Q. How long have you lived there?—A. I have been living there since 1875.

Q. Where did you live before that?—A. I lived in North Carolina.

Q. Were you born there?—A. No, sir; I was born sort of east from Norfolk.

Q. You were born in Virginia, went to North Carolina, and then came to Danville?—A. Yes, sir.

Q. In 1875?—A. Yes, sir.

Q. Were you a slave?—A. Yes, sir.

Q. What is your business?—A. Driving a wagon.

Q. For whom?—A. Well, I am wagoning now for myself.

Q. For whom were you wagoning prior to this riot in November last?—A. I was wagoning for B. W. Graves.

Q. How long had you worked for him?—A. About two months, I reckon, or three, up to that time.

Q. What was his business?—A. He keeps store there in Danville.

Q. Shortly before this riot did you go to the store?—A. Yes, sir; I was frequently there every day before it, and——

Q. I am inquiring now of the last time you went there before the affair.—A. Yes, sir; I went there, I reckon, it was about fifteen minutes before.

Q. Before the shooting began?—A. Yes, sir.

Q. Where did you go?—A. I went to the back door where I always go with my horse, and I found the door fastened; the store was fastened up.

Q. Had you ever before found it so during the day?—A. Not at that time of day.

Q. What did you then do?—A. I shook the door, and one of the clerks came down; Mr. Williamson, a clerk of the store, opened it, and I asked him, I says, "Mr. Williamson, you are all shutting up very soon. What is the matter?" He says to me, "Well, hell is to pay;" and there would be more dead men directly than I ever saw. That astonished me; I didn't know anything about it, and was not thinking about it.

Q. Did you go into the store?—A. Yes, sir; I went in. He opened the door and I went in and shut the door then behind me.

Q. What did you notice about the condition of things in the store?—A. When I got in the store I found the clerks were in there as usual, and I found the counter full of pistols and guns, and that was an astonishing thing to me; the same kind of pistols they had in the showcase, and the guns was laying out on the counter.

Q. How many in all?—A. I have no idea, but I suppose on the counter, I reckon, about eight or ten feet was full of them.

Q. You can tell something about the number?—A. I don't suppose there was not any less than about two hundred, or something of that kind. I didn't count them.

Q. Were they kept there for sale?—A. Yes, sir; he kept them for sale in the house; but he kept them in his show-case.

Q. Did he keep that quantity in the show-case usually for sale?—A. I don't know. I never recollect seeing that many there before.

Q. There were more guns and pistols than you had ever seen there before?—A. More than I ever saw before or since.

Q. How was the front door?—A. The front door was fastened or shoved to. The back door was locked.

Q. And the front door was closed?—A. Yes, sir.

Q. Do you know whether any of them were loaded?—A. Yes, sir; I know some of them were loaded, because I saw, I looked at them. I went right up there and was standing looking at them, and saw they were loaded. In the mean time, while I was standing there looking at them (I suppose it was about ten or twelve minutes, and maybe it might have been fifteen, or something of that kind; I don't exactly know the minutes), the shooting commenced right in front of the front door; and a few minutes after the shooting commenced, then there was a young man, or middle-aged man, Mr. Burch his name is, came in with two pistols in his hand. There was some seven or eight, or maybe more than that, colored people had run in the store out of the way of the shooting—run in the front door. He came in with two pistols in his hand, and he looked down the gangway of the store, and saw us all in there. I was in there myself. He laid those two pistols down on the counter, and picked up two more. That is how I came to know they were loaded; and got back behind them and ordered them all out.

Q. Ordered them out into the street?—A. Yes, sir.

Q. What did he say or do?—A. When he got his pistols, and got back behind them, between them and the back door, he says, "Now, every one of you radical sons of bitches get out of here. If you don't I am going to kill you." And the darkies all commenced running out, as people would do out of the way of shooting.

Q. Was the firing going on in the street?—A. No, sir; the firing had ceased out in the street; and I said to him, "I ain't going out there, because I belong in here. I am in Mr. Graves's employ, and I am not going out." He said to me I was a liar; I didn't. I was standing right in front of Mr. Graves. I wanted him to speak; thought it was his place to speak, which I told him I thought it was; but he did not say a word. But Mr. Williamson, one of the clerks, came around and says to Mr. Burch, "Captain, this man belongs in here; let him stay in here; and all the rest of these sons of bitches, drive them out. They started it, and they shall not harbor in here."

Q. Then Captain Graves did not offer to protect you?—A. No, sir; he did not protect me at all. I thought he would.

Q. Although you were at that time at work for him?—A. Yes, sir; in his employment; driver.

Q. He heard Burch order you out, did he?—A. Yes, sir.

Q. Did he have a pistol in each hand?—A. Yes, sir; he didn't only have them in each hand, but had them cocked. They were self-cockers, and he had both fingers on the trigger.

Q. What did he say?—A. He just made the remark, as soon as he got behind the colored people, "Every one of you damned Radical sons

of bitches get out of here." He says, "If you don't I am going to kill you. You started it, and you shall not harbor in here." That is the words he said.

Q. Do you know where the colored people were at that time; had they run from the street?—A. Do I know where they were?

Q. Do you know whether they had fled from the street?—A. Yes, sir; they were running all they could run.

Q. Did you go out in the street?—A. No, sir; not until after the thing was over.

Q. From the window could you see?—A. Yes, sir; I saw. I was standing looking right through the window.

Q. Could you see whether the white people were chasing them in the street?—A. The white people did not chase them far. When they first commenced firing they then sort of went down the street, I reckon, about 25 or 30 yards, and by the time they had got down where they could fire down on Market street, then they had the privilege of firing on four streets; that is, down one way on Main street, and then up; and then down Market, and up.

Q. Did they fire in all four directions?—A. I suppose they did. When they commenced right in front of the store, then they marched down.

Q. Did you see any colored people with arms?—A. No, sir; not any.

Q. Do you remember what you went to the store for at that time?—A. Yes, sir; I went there as usual Mr. Graves keeps a wagon to haul his goods out and in, and I had went out with a load up town to some of the customers, and came back to the store to see if there was another load.

Q. You were following your daily business?—A. Yes, sir.

Q. How long before the firing began was it that you came there and found the door locked?—A. I reckon it was about twelve or fifteen minutes, as near as I can come at it.

By Mr. VANCE:

Q. What Graves is this you were working for?—A. I was working for Basil W. Graves—B. W. Graves.

Q. It was not the old man they call Captain Graves?—A. No, sir; it was young Basil, keeps a store on Main street.

Q. What sort of a store?—A. I suppose you call it a grocery store. He keeps whisky, meat, and flour.

Q. Sundry supplies?—A. Yes, sir; things of that kind.

Q. You say fifteen minutes, or about that, you went down to the back door and found it shut?—A. As well as I can recollect; yes.

Q. And it was locked?—A. Yes, sir; it was locked.

Q. And you ran to the door and knocked, and somebody came and let you in?—A. One of the clerks; yes, sir.

Q. Who was it?—A. Mr. Frank Williamson.

Q. When you asked him what he meant by shutting up, he stated to you "that hell was to pay"?—A. Yes, sir.

Q. And in a short time you would see more dead negroes than ever you saw?—A. Yes, sir.

Q. Who was there then?—A. His clerks were in there.

Q. Mr. Graves's clerks, you mean?—A. Yes, sir; Mr. Graves's clerks.

Q. How many of them?—A. That was Mr. Moore was one, and Mr. Williamson and Mr. Pascal and Mr. Sheperd were his clerks. They were in there, and then a colored man.

Q. What is his name?—A. His name is John Maryland. He waits around the store.

Q. He belonged to the store like you did?—A. Yes, sir.

Q. Those were the only ones that were in there?—A. Those are the only ones that were in there at the time that I got in.

Q. The front door was shut to?—A. Yes, sir; I don't think it was locked, but it was shut.

Q. How long after the firing until these other men came in?—A. When the firing commenced they commenced running in.

Q. How did they get in?—A. They just come in the door. That is the reason I said the front door was not locked. They come in the front door.

Q. It was open?—A. It was just pushed.

Q. They pushed it open and rushed in?—A. Just like they did out against any other house that they could get in.

Q. Did the door habitually stand that way?—A. No, sir; not at that time of the evening. It was always open.

Q. And they took the liberty, without knocking or anything, to just open it and rush in?—A. I suppose so.

Q. You did not see anybody knocking?—A. No, sir.

Q. They just came rushing in?—A. Yes; I reckon they did.

Q. How long was it before that man come in with two empty pistols?—A. It was not more than about, as near as I can recollect it, something like eight or ten minutes; something like that after the firing ceased.

Q. After the firing ceased?—A. Yes, sir; the firing had ceased out on the street. He came in with two pistols in his hand.

Q. Now let us halt a minute. What was his name?—A. His name was Burch.

Q. What did he do, and where did he live?—A. I think he works at Mr. Fuller's factory the last year, but is now in Mr. Gillem's harness shop. I see him there every day, and suppose he has employment.

Q. His name is Burch, and he works with Mr. Gillem in the harness shop?—A. I suppose so.

Q. And he came in, laid down empty pistols and took up loaded ones, and got behind the colored people and ordered them out?—A. Yes, sir.

Q. With the language you made use of?—A. Yes, sir; these are the words, I repeat them just as he said.

Q. These pistols on the counter were loaded?—A. Yes, sir; I didn't take hold of them, but I was standing right close to them looking at them.

Q. And you say there were two hundred?—A. I won't say certain there was that many, but a good many. I say, from the looks of them guns and pistols, about two hundred.

Q. And they were all loaded?—A. I don't know about that.

Q. As far as you saw, did you see any empty ones?—A. No, sir; I didn't notice particularly. I noticed some being loaded, and was looking at them laying out there; but my mind was engaged out on the street, and at the crowd that had gathered up in front, and did not know what it meant; but I noticed some of the pistols being loaded, and boxes of cartridges laying on the counter.

Q. Well, they were all gone after the fight was over, were they not?—A. No, sir; not all gone.

Q. All laying there still?—A. No, sir; not all gone; part gone, and some there.

Q. Who got any, except the young man?—A. I never saw the men, except the clerks, I saw them put some in their pockets. I never saw any other man take hold of any one, except Mr. Burch.

Q. So they did not take any part in the fight—those that were lying on the counter—A. No, sir; they did not take any part in it themselves; didn't see anybody carry them out that I saw.

Q. How could you see what the crowd was doing when you were inside of the house with the door shut?—A. I was standing looking right through the window. There is a window right at the door, right at the end of the counter.

Q. And you were looking out?—A. Yes, sir.

Q. Were you not a little afraid to stand close to the window?—A. I did not stand any longer than they commenced shooting.

Q. Where did you go?—A. To the lower part of the store, and sat down behind the salt pile.

Q. You staid there until the battle was over?—A. Yes, sir; and I staid there a right good little piece after it was over.

Q. You do not know then, what took place on the street after you walked away from the window?—A. No, sir; I haven't said anything about what took place on the street, only when they commenced firing. I heard the report of pistols, and was looking out of the window and saw them. Then they were marching down the street.

Q. When did you see them march down the street; in which direction?—A. Down towards Jerry Nicholas's.

Q. Nicholas & Hessberg's?—A. Yes, sir; they commenced right up above there, and went down that way, and then I did not see any more of them at all, because I did not go out on the street.

Q. Graves's store is right opposite Woolfolk & Blair's, is it not?—A. Yes, sir; right there.

Q. You could see them out of the window running down toward Market?—A. Yes, sir.

Q. After they got beyond the window, you could not see them? You did not raise the window, did you?—A. No, sir.

Q. You did not raise it up and put your head out?—A. No, sir.

Q. You could not think of doing such a thing as that?—A. Not a bit of it.

Q. And you do not know what was done after they passed out of your view?—A. No, sir.

Q. Of course you saw no colored man with any weapons?—A. None in the world.

Q. You do not know what took place at the beginning of the fight, because you were not there?—A. No, sir; I didn't know anything about the beginning, nor the ending; I don't think I even saw the dead bodies.

Q. You say Mr. Burch told those colored men that they had started this thing, and must not harbor there?—A. Yes, sir; when he got behind them he made that remark; he didn't say anything when he first came in.

Q. You say that Mr. Graves did not say anything when you claimed to belong to the house?—A. No, sir; Mr. Graves didn't open his mouth.

Q. One of the clerks spoke up, though?—A. Yes, sir.

Q. Which one was that?—A. Mr. Williamson.

Q. The same one that let you in?—A. Yes, sir; and I believe he saved my life, because I was not going out then, nohow.

Q. Did I understand you to say that you saw the people shooting down Market street?—A. No, sir.

Q. You did not say that?—A. I say they went down that way, and then they had a view—you can see four streets to shoot. That is, down Main street and up, and down Market and up.

Q. Could you see them when they got down to the market?—A. No, sir. I just told you when they got out of the right of the window going that way, I didn't see them any more.

Q. All you meant to say is that they went on down towards the market?—A. Yes, sir.

Q. You did not see them shoot any more?—A. No; but there was one dead body that fell on the market.

Q. You said just now you did not see any dead body.—A. I didn't see.

Q. You only heard so—about the dead body?—A. Yes, sir.

Q. Well, that is not evidence.—A. I reckon it is right; but I didn't see him, because I didn't go there.

Q. Well, you can only swear to what you saw, and be sure of it.—A. Yes, sir.

By Mr. LAPHAM:

Q. Did you see either of the men afterwards who were shot?—A. I saw one of them that was shot that they did not kill at that time.

Q. Where was he hit?—A. He was hit somewhere in his bowels.

Q. In front?—A. Yes, sir; sort of on his side. He died from it. Peter Walters his name was.

Q. How long did he live?—A. I think he lived near two weeks.

Q. You did not see the remains of this man who fell in Market street?—A. No, sir; I know his father.

Q. You did not see any other of the persons who were shot, to see where they were hit?—A. No, sir; none but that one.

Q. When the white men started down towards Market street, did they have their pistols in their hands?—A. Oh, yes.

Q. How many of them, should you say?—A. I did not know; but a right smart crowd. I don't know how many there were.

I mean those who were marching with pistols.—A. I can't say that, because I don't know.

Q. Had you registered?—A. Yes, sir.

Q. Intended to vote?—A. Yes, sir.

Q. Did you vote?—A. No, sir.

Q. Where was your voting place?—A. It was at Woodson's store,

Q. Were you at the polls or around the polls on election day?—A. No, sir; I didn't go near them.

Q. When did you leave the employment of Mr. Graves?—A. I left it on the next Saturday night following after the shooting. I worked with him a week afterwards as a driver.

Q. Did you leave voluntarily or did he discharge you?—A. I left, I reckon, on my own responsibility.

Q. You wanted to leave?—A. Yes, sir.

Q. Since that time you have been in business for yourself?—A. Yes, sir. Well, I am hauling for Mr. Joe Price. I have got an old horse of my own.

Q. Have you a family?—A. Yes, sir.

Q. What property have you?—A. I have no property at all.

Q. You are dependent upon your wages?—A. Yes, sir.

The CHAIRMAN. I wish to inform the committee that I am advised by the secretary that he is out of money to pay these witnesses, and wishes instructions what to do about it. I told him promptly that I was perfectly willing to advance to him, the secretary, the amount necessary (there are about sixteen witnesses present who have not been ex-

amined) to pay their fees, rather than have them wait here, or sell their vouchers. As a matter of course, I do not like to do it. The bill is pending in the House, and I presume in due time it will pass it; but I do not think, under the circumstances, we ought to summon any more witnesses until provision is made for their pay. I would like to ask Senator Vance whether, under the circumstances, it would not be better for me to advance the money rather than to have the witnesses stay here?

Mr. VANCE. It would be better for the Government to do it, of course.

The CHAIRMAN. Do you suppose there would be any objection to refunding the money?

Mr. VANCE. I cannot conceive of any. There is no doubt that Congress will give us all the money that is necessary for the purpose.

Mr. LAPHAM. I would not advance the money if I were you.

Mr. VANCE. Do you mean to say that the witnesses who have been examined cannot be paid?

The CHAIRMAN. Some of them cannot. We did not know anything about this at all. I supposed that there was money enough to cover all the witnesses; but the money has been drawn upon from other sources, and there was not enough.

WARWICK REED sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. I live in the town of Danville.

Q. How long have you lived there?—A. Ten years the 20th day of the present month.

Q. Where did you live before you lived there?—A. I was born in the county of Amherst, and raised partly in the city of Richmond.

Q. You are a native of Virginia, then?—A. Yes, sir.

Q. Were you a slave?—A. Well, I can't say I was a slave or that I was free. My father had a good deal to do with me, and I don't know that I was a slave exactly; I lived like I wanted, to some extent.

Q. You lived at home with your parents, then, until after the emancipation?—A. No, sir; my parents died in my early lifetime; that is, my mother died when I was about six years old, and my father died about ten years ago.

Q. You lived with your father, then?—A. No, sir; I didn't live with him. I lived in the State of Virginia, but not with him.

Q. What was your business last year?—A. The same as it is now; I keep a few boarders.

Q. A boarding-house?—A. A private boarding-house; yes, sir.

Q. How long have you followed that?—A. About five years.

Q. Have you a family?—A. I have a wife; no children.

Q. Have you property?—A. I represent the interest of my wife by way of property.

Q. The property is in her right?—A. Yes, sir.

Q. Do you know where the Democratic club held their meetings during the last canvass?—A. I could not swear positively where they held all their meetings. I might possibly recollect a majority of the meetings; I could tell that.

Q. You know where they held some meetings?—A. I know where they held a number of meetings.

Q. Did you hear anything that occurred in one of those meetings shortly before this riot on the 3d of November?—A. I heard some

matter, but I could not swear positively of any particular names: I know that it was a meeting of the committee after the adjournment of the club.

Q. That is the occasion I speak of. The executive committee, was it not?—A. Well, it might be called that, but I would rather construe it differently, as the committee on plans.

Q. Very well; it was a committee of the club.—A. It was part and parcel of the club, yes, sir; it might be called a subcommittee.

Q. Did you hear a list of names called?—A. I heard the roll called; but, to be frank, upon my oath, I cannot remember their names.

Q. No; I did not suppose you could. How many in number were called?—A. I would not like to say this, Senator, positively; but, as far as I can recollect, I would think it was in the neighborhood of twelve or fifteen.

Q. Now, if you heard anything that was said, state what you heard.—A. I suppose I would hear from that committee, as I would hear from any other political committee.

Q. No, about the election?—A. That they were going to—that they must carry the town.

Q. What else was said?—A. It seemed to be not so much that election, but they must have it next spring at all hazards. The object of the matter was to wait until next spring, was my conception.

Q. As near as you can, give the words that were said.—A. Well, sir, I positively cannot swear to that, from the fact that it has been quite a while, and I cannot remember.

Q. You know Dr. Keene, do you not?—A. Yes, sir.

Q. Didn't you hear him say something?—A. I don't know whether he is a member of the committee, but he was present.

Q. Do you not remember whether you heard him say something about carrying the election, and the means to do it?—A. He is a gentleman of ability.

Q. Do you remember what he said? Give his words as near as you can.—A. Well, I live there, and——

Q. Oh, well, you need not be afraid. State the truth. You will be taken care of.—A. But I must say this: You will please to remember that I live there, and my interest is there.

Q. I do. I take all that into account.—A. I would rather not testify in such a case, from the fact that my interest is there. And I hope it will be the will of the committee not to make me testify in this case. I would rather not testify in such a case, and I hope you will excuse me from answering any such questions.

Q. You do not want to state what you remember?—A. Yes, sir; I want to state, too——

Q. You don't like to?—A. It is damaging to the business I have, and I don't think——

Q. Have there been any threats made to you?—A. Not particularly, sir; not directly.

Q. Well, indirectly?—A. Well, no sir; I——

Q. Have you had a warning in any form?—A. Not by any individual at all; but, from the outlook of matters, I would rather not testify. While I would say that there are some good citizens, colored and white, there are some bad ones.

Q. What is your fear?—A. Well, I have got to go back there. I live there, and my wife represents some good property, and I——

Q. Are your boarders white people?—A. A majority of them are white; yes, sir. Of course my politics are Republican, but the majority

of my boarders are white, and my bread depends upon that source, and of course it is rather a delicate point. While I am loyal to the Government, and all this——

Q. Turning the subject for a moment: Do you know about Glass, who has testified here?—A. Yes, sir.

Q. What do you know in regard to him; where is he?—A. He is supposed—I would not like to say where he is, from the fact I may be in danger stating where he is; but I know that he is not in Danville.

Q. Do you know why he left?—A. I cannot tell. I heard why he left. I don't know.

Q. It is only hearsay?—A. I know he lived in the rear of my lot, and I heard from the neighbors that he left from the threats.

Q. But the particulars you do not know personally?—A. I didn't know what was the object, but I know I heard that they were for——

By Mr. VANCE:

Q. If you just heard it, only state your own knowledge.—A. I know he is not in Danville, so far as that is concerned.

By Mr. LAPHAM:

Q. Do you know of his people assembling about his house?—A. He lives in the rear of my lot, but I front in a different street.

Q. You did not see anybody, then?—A. No, sir; but I heard it early next morning.

Q. When did he leave?—A. I could not swear the date.

Q. How long since you saw him?—A. I saw him the next day after he returned. I think he left four or five days after he returned.

Q. And you have not seen him since?—A. No, sir.

Q. His family is still there?—A. They are not in the same place. I think they have moved somewhere near Jackson Branch; somewhere in that direction.

Q. The particulars of his leaving, then, you cannot state from any knowledge that you have?—A. No, sir; I can't swear to the particulars at all.

Q. What was Glass's business?—A. He was a tobacco operator; what you may call in the common term of our country a tobacco roller.

Q. How long have you known him?—A. I would not swear positively, but I suppose I have known him at least five or six years.

Q. Is he an industrious man?—A. Yes, sir; a very fine roller, too; makes considerable money. He formerly worked for the firm of Holland.

Q. What family has he?—A. He has a wife and one child that I can swear to, a baby; that is, I will swear it was his; I cannot swear it is his child.

By Mr. VANCE:

Q. What man are you talking about?—A. I am speaking about the Glass the Senator refers to.

Q. The one you spoke of as a lawyer?—A. You never heard me say that.

By Mr. LAPHAM:

Q. You spoke of a report that was in circulation the morning after he departed.—A. I only alluded to that by way of rumor, which I heard. I know I have not heard of him since.

Q. Did you hear why, from white people, or colored?—A. No, sir; not very apt to hear it from white people down there. I heard it from some of his own peers.

Mr. LAPHAM (to Mr. Vance.) Do you object to his stating what he heard the morning that he fled?

Mr. VANCE. Oh, yes; it is hearsay; but I do not object to his telling that story he declined to tell.

The WITNESS. Rather do what?

Mr. VANCE. Tell about Dr. Keen, and all that you declined to tell.

The WITNESS. Well, I wont tell that; and I hope it will be the pleasure of the committee that I shall not tell that.

Mr. LAPHAM. We both want you to tell it.

The WITNESS. Well, my bread and meat is there, and I am loyal, but I can't tell that.

Mr. LAPHAM. We will have to wait a few moments till Mr. Sherman comes back.

Mr. VANCE. If you are in danger, don't you know that you will anger the people more by your declining than you would by telling.

The WITNESS. Yes; but it might involve me in my business.

Mr. VANCE. I cannot see how it does. By refusing to answer, you make out that it was something very terrible.

The WITNESS. No, sir; I don't mean to advance anything of the kind; but I mean to say this: I might have heard something, and there is no proof of it, and it may be contradicted by one or the other which would be equivalent to the fact, when I can't produce evidence to prove it. I don't want to allude to a fact, without evidence to prove it; I may have learned or heard something and cannot produce evidence to prove it.

By Mr. VANCE:

Q. Were you examined about this matter once in Danville?—A. By whom?

Q. I do not know.—A. No, sir. I may have made some statements; but I was not examined.

Q. Glass was examined, was he not?—A. I do not know; I was not present at his examination at all.

Mr. LAPHAM. I will ask you to stand aside for a few moments while I examine another witness.

The WITNESS. I hope it will be the pleasure of the committee to excuse me till to-morrow, if possible, from the fact that I am sick. I have been taking some medicine, and feel very bad.

The CHAIRMAN. Mr. Reed, it is not in the power of the committee to excuse you from answering any question. You have sworn to tell the truth, the whole truth, and nothing but the truth, and no power in this country of ours is strong enough or great enough to injure you for telling the truth. The foundation of all our laws, of our courts, of investigations, and of all efforts to promote justice among men depends upon the frank and open answer to proper questions truthfully given, and it is your duty, therefore, to answer, and it is our duty to require answers to all questions that appear to be pertinent to the inquiry; and as a citizen of the United States it is your duty to do so promptly, without any fear or evasion.

The WITNESS. I have got a conception of the rights of the country and law, and I have a perfect right to tell what you have stated; but even while I may have the right to do so I will ask the committee where will be the protection; where will I reside hereafter? for where I reside at present, from what you may have heard prior to my arrival. While I may tell what I heard, that will not be evidence without needed proof, and the fact might be denied by the gentleman to whom I allude.

Q. That is not the question; because that only might create the ques-

tion of veracity between you. But what you are bound to tell is to state the truth as you understand it, and what was said in the presence of many others is certainly matter that you can safely say, even if you should differ with others in your recollection of the words said. They could be called to testify as to their recollection. I know you have no legal excuse for not answering the question, and it seems to me that it is your plain duty to do so.—A. Well, I would like to answer the question; but it requires a little matter of thought in order to answer it properly, because it is my recollection, and so as that I may not make a mistake.

Q. Tell it to the best of your recollection. You cannot be expected to do more than that.—A. Well, as far as I recollect (you remember that I didn't say he was a member of the committee), but twelve or fifteen, as far as I recollect. I wouldn't say positively, but I gather from the impression that it would be a matter to make the purpose effective to carry the election next spring; and, as far as I recollect, it must have been Dr. Keen's voice, from my acquaintance with his voice. I only recognized it being his voice—that we must have the town at all hazards, if not now, next spring, at any rate. I can't possibly remember every little technicality. I remember another expression. He said, "We have men enough, if they will only do their duty; but you know the registration is against us;" and of course some little noise between that—

By Mr. LAPHAM:

Q. Was there anything said about violence?—A. I don't say that Dr. Keen said that, but somebody said this: "If we have to take it by violence."

Q. Well, some one said that?—A. Some one said it, but I won't say it was Dr. Keen's voice. I won't say it was his voice, but somebody said it in the middle of his talk. Of course it was a different voice from his, unless he changed his voice.

Q. You understood it to be in answer to what the doctor said?—A. Yes, sir.

Q. Did you vote?—A. I did not.

Q. Why did you not vote?—A. Well, I didn't vote from the fact that I did not think it would amount to anything; from the fact that the mass was not voting, and I didn't care to.

Q. But you had registered?—A. Yes, sir.

Q. And you intended to vote?—A. I expected to vote before the difficulty; after the difficulty I didn't care whether I voted or not, because nobody was voting. It was not because I was afraid, but because I didn't think it would amount to anything.

By Mr. VANCE:

Q. Where was this meeting where you heard Dr. Keen's voice, as you think?—A. I can tell where the meeting was, whether I am certain it was his voice or not. The meeting was at the armory, at the original old post-office, in the rear; not directly in the rear of the old post-office but in the rear of the revenue department, once occupied by the Government.

Q. What they call the Grays' armory?—A. It is supposed to be the Grays' armory, yes, sir; but it was then really, and is now, I think.

Q. When was that?—A. That was some time in the month of October. I do not remember the date.

Q. Cool weather?—A. Sometimes we have warm weather in October and sometimes cool.

Q. At that time do you recollect how it was?—A. No, sir; I don't remember.

Q. Where were you situated when you heard these words, as you thought, from Dr. Keen?—A. Well, the first part of the meeting I was up on the street, on the side of it. There might have been an immense crowd, and the meeting was open to some extent, in order to get ventilation, I presume; and then, after I got a little aroused in the matter (of course I always like to hear what is going on), I passed up through the front entrance and got in the side steps, or rather porch, you may call it platform, that used to be the step, let down in the yard, the rear part of the building, and before the building was cut up to use for various purposes, and being interested in my people I was there. I didn't think it was stealing or anything.

Q. Were you on the inside or the outside?—A. Was inside of the building, but not inside of the room. I entered in front, but the porch was on the outside of the building, but parallel with the floor in the room in which they were in.

Q. Was there any door-keeper or anybody appointed to keep people out?—A. Well, you see the door that entered the room that they went into was like the entrance here, with a general entrance in front on the street, and then a little elbow which turned round and come into the door, and this door which I went in was on one side of the entrance. There was no door-keeper to where I was at all.

Q. What I mean is, was the meeting secret? Could not anybody have gone in that saw proper, so far as you could see?—A. Well, I could not see through the door, without its being glass; but the windows was cracked on one side. I don't know whether it was secret or not.

Q. What was it Dr. Keen said? Can you recollect the language?—A. You have heard my statement just a little while ago. I stated that he stated that we were to have the town, you heard me state a while ago, "at all hazards, if possible, and we had the men."

Q. If they would do their duty?—A. Yes, sir; but he spoke of the registration as being against us; but I don't know of any particular matter, so far as the contrary of what he meant to imply by that; and then somebody spoke up—

Q. One moment before you get to that place. You said something about you thought his words referred to having the town next spring?—

A. Yes, sir; I said that I gathered from his expression that his object was to carry the town next spring, and he did say, "if not now, next spring we must have it."

Q. Then some voice answered. You do not know who that was?—A. No, sir; I can't swear who that was, unless he changed his voice, and I state frankly, I would not say it was Dr. Keen.

Q. What did that voice (whatever it was) say in reply to his suggestion to carry the town?—A. Well, "It is to be carried by violence," or something of that kind. It amounted to that.

Q. You could not get it?—A. I could not get it, from the fact that something occurred by way of noise at the time and I could not get the whole substance.

Q. Under those circumstances are you prepared to swear positively that any violence was contemplated by any class of people? Might you not have mistaken the context of what was said?—A. I do not swear that any violence was contemplated by any class of people; but this might have been uttered for the lack of good sense. You can't always tell.

Q. You say Glass disappeared since he went home. He is not in Danville.—A. I said I have not seen him. I heard of this matter. I said what I heard, and you said that it was hearsay.

Q. Have any of the other witnesses who were here left Danville in the same way?—A. I don't know of any particularly. My business is such I don't know. I would not have known him but for being near neighbor, and heard of it next morning. I might say that when I am at home, I don't know just all that goes on for some time, sometimes.

Q. Don't you know that Glass gave his full testimony in the contest between Mr. Sims and Mr. Hurt?—A. Don't I know that?

Q. Know it by seeing publications, or otherwise?—A. I only know what I read, and don't remember it all.

Q. But as to the fact that he did appear before that committee to give his testimony?—A. Which committee do you mean?

Q. The Hurt case?—A. No, sir; I beg pardon. I meant simply the evidence given here.

Q. You do not know anything about his having testified in the contested-election case?—A. No, sir; I don't know anything of the case you refer to now, except outside of this investigation.

Q. Well, he staid in Danville after the election up to the time he came to Washington, didn't he?—A. I would not like to say that, from the fact I do not know where he staid, but I recollect seeing him after the election.

Q. You saw him from time to time in Danville?—A. I saw him from time to time, the same as I might see you.

Q. That is a sufficient answer to my question. As far as you know, he continued to reside there until he came back from Washington?—A. Yes, sir; so far as I recollect, I think he was there.

Q. But since he has been here to Washington you saw him no more, don't know where he is, or anything about it?—A. Yes, sir; I saw him since. I saw him at least two or three or more days after he returned; and I stated further, that as far as I could recollect, that he may have left about the fourth or fifth day after returning, from the rumor which I heard afterwards.

Q. You do not know whether he is there now, do you?—A. No; because I am here.

WILLIAM H. PAXTON sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. I reside about 20 yards from the corporation of Danville.

Q. Where did you live in November last?—A. I lived in the same place.

Q. How long have you lived in Danville?—A. I have been in Danville six or seven years.

Q. Where did you live before that?—A. I was bought when I was a small boy and brought there.

Q. Have you a family?—A. Yes, sir.

Q. What property have you?—A. I have some in part.

Q. Have you got some real estate?—A. In part.

Q. You mean by that you own with somebody else?—A. Yes, I mean by that I mean I have got some or aint.

Q. Is it not all paid for?

Mr. VANCE. You had better let him tell, judge, I think.

Mr. LAPHAM. It is not very important.

Q. Do you know Charles Redd?—A. Yes, sir.

Q. Do you remember the day of this riot?—A. Yes, sir; I remember.

Q. Where were you at the time?—A. I was there in front of Mr. Blair's office.

Q. Were you at work that day?—A. No, sir.

Q. What is your business?—A. Carpenter.

Q. Before that time did you hear Redd say anything; where was he employed?—A. He had been down to Mr. Gerst & Wood's store.

Q. He was a clerk there?—A. Yes, sir.

Q. Did you on any occasion hear him say anything about the election to the colored people?—A. Yes, sir.

Q. Tell the committee what he said.—A. He said to me—he never said anything to me before, but he asked me then if I would vote the Conservative ticket. I told him no; I wouldn't vote the Conservative ticket; he told me I needn't be afeared to vote it, for he says, "we are prepared and ready, and waiting to see that you won't be troubled after you vote it." He talked with me some right smart while; that was about all that passed, as near as I can think of it.

Q. Did he say anything about carrying the election?—A. Yes, sir; he stated to me that he was going to carry it if they had to carry it with balls.

Q. That is what I wanted; how long was this before the riot?—A. Two or three weeks.

Q. Did he say balls or bullets?—A. I think, as well as I can remember, he said balls.

Q. Did he talk with you more than once?—A. No, sir; not about that.

Q. You told him very frankly you could not vote that ticket?—A. I did when he first spoke to me, and after that I didn't say anything to him, because I——

Q. Well, his statement that they would carry it if they had to carry it by bullets, or by balls, was after you told him you could not vote that ticket?—A. Yes, sir.

Q. Did you go to the election?—A. No, sir.

Q. Had you registered?—A. No, sir; I was to have my transfer on Monday, as I might be late to vote Tuesday.

Q. Why did not you go to vote?—A. I was afeared to attempt it.

Q. By reason of that disturbance on Saturday, or by reason of what he said to you, which?—A. Well, I had been living in Danville a right smart while, and the shooting took place unexpected to me, and I was disappointed in that, and that made me afeared to go and attempt to vote.

Q. Redd is a white man?—A. Yes, sir.

Q. And a Democrat?—A. I don't know about that; I have always taken him to be.

By Mr. VANCE:

Q. When Mr. Redd first asked you to vote the Democratic ticket, what did you tell him?—A. I told him I wasn't going to vote it.

Q. Well, what reason did you give?—A. I didn't give him any; just said I wasn't going to vote it; didn't give any reason for it at all.

Q. Did you tell him you were afraid to do it?—A. I didn't.

Q. How came he to say you needn't be afraid to do it?—A. I suppose that was his business about that, but he said so.

Q. That is his business, that you needn't be afraid to do it, that they

were prepared to see that you were not troubled for voting?—A. I don't remember that he said that.

Q. Well, you said just now that they were prepared, ready, willing and waiting to see you were not troubled?—A. Yes; I know I said that. I say that he told me if I would vote—I don't know that he told me I needn't be afeared if I would vote.

Q. Well, you told Senator Lapham that just now.—A. Yes, sir.

Q. You take that back, do you?—A. What?

Q. What he said to you.—A. No, sir; I don't take back nothing.

Q. Then he did say to you that you needn't be afraid to vote?—A. I don't say that; I don't remember I made any such statement as that. I tell you he said this: "They would protect me and nobody should pester me," or something of that kind.

Q. Now, had anybody been talking about pestering colored men who voted the Democratic ticket?—A. Now, that is too hard for me; but it had been talked to others.

Q. Did you hear that anybody had made any threats toward any colored man who would vote the Democratic ticket?

Mr. LAPHAM. Do you ask him whether he heard it himself?

Mr. VANCE. Yes; I asked him whether he heard it.

Mr. LAPHAM. Well, that is asking for hearsay.

Mr. VANCE. I hope you will let me examine him; he needs help, but I hope you will let me have him.

The WITNESS. The fact of it is, I am just going to tell what I saw, and what I heard, and that is all I am going to tell, in fact.

By Mr. VANCE:

Q. That is right—just what you saw and heard; but now, this conversation with Mr. Redd. You say that he offered to protect you, and said that they were prepared to protect you, if anybody interfered with you for voting the Democratic ticket.—A. Yes, sir.

Q. Now, how came he to say that; had anything been said between you about somebody interfering with you?—A. Well, I might have heard a hundred things, but then that would not be proper for me to tell it—what I hear.

Q. I appreciate your anxiety not to violate the law governing your testimony.—A. I have told you all I know.

Q. I asked you if anything had been said there between you and Mr. Redd about the danger?—A. Oh, no; I just told you all that I hear.

Q. Now, cannot you give me some reason why he offered to protect you?—A. Well, sir, I could not to save my life.

Q. Could not you state whether you told Mr. Redd all that you had heard?—A. Told who?

Q. Mr. Redd.—A. I don't understand you.

Q. Well, you stated, as I understood you, that you told Mr. Redd that you had heard about the colored people voting the Democratic ticket?—A. Oh, no; no, sir.

Q. You didn't tell him anything at all?—A. No, sir.

Q. How came he to ask you to vote the Democratic ticket; had you ever given any intimation that you would do so?—A. That is what I can't tell.

Q. You heard the last part of my question, I think. Had you ever given Mr. Redd to understand that you wanted to vote the Democratic ticket?—A. No, he had said a good deal to me about being a Republican, and we had gone on a good deal about it for about a year or two before that; that is all that ever passed between us.

Q. What was it that passed between you?—A. He had gone on a good deal to me, had said something to me in the way of joking, and, of course, I was joking with him, two years before that.

Q. This was all a continuation of the joke then, was it?—A. Well, that is for you to judge; I aint saying.

Q. Are you not a better judge of it than I am, because I didn't hear any conversation; I can't tell whether you were joking or not?—A. I have told you; I have just told you exactly what passed between us.

Q. You say before that a good deal had passed between you in the way of joking?—A. I say twelve months before that, probably it might have been longer.

Q. Yes, now was this conversation a joke also?—A. Well, you must be the judge of it; I have told you.

Q. I am to be the judge, am I?—A. Yes, sir.

Q. I say it was a joke then.—A. You can have it as you choose.

Q. You are satisfied with that, are you; don't you think you ought to answer my question if you want to do what is right, and tell nothing but what is the truth; don't you think you ought to answer my question whether this conversation was a joke or not?—A. Of course I can answer that.

Q. Of course you can. Now, what was it?—A. I did; I answered that at first by telling you what he told me at first; he had never said nothing to me before about asking me to vote, but asked me then.

Q. Now, you have just sworn that he did ask you a year or two before.—A. I didn't say that. I said he had run on to me about being a Republican.

Q. Well, he said something to you then, and this time it was a joke still, was it?—A. If I have to tell you over again I can tell you the same words I told you just now.

Q. But whether it was a joke or not, you have not told me that yet. Just tell me that now, and to oblige me.—A. Well, I couldn't tell you to save my life what you want me to say, but I will try to say everything I thought I ought to say.

Q. Now, I will ask you once more. You say that a year or two before that he had been running on and joking you about being a Republican?—A. Yes, sir.

Q. Now, I ask you when he wanted you to vote the Democratic ticket at this last election, if that was not a joke too?—A. He came to me and said—

Q. Now, that is the question, you can answer yes or no. Was it a joke, that last conversation, or not?—A. Well, it might have been a joke; I didn't look at it to be a joke when a man come—

Q. You say then it was a joke?—A. I looks at it he wanted me to do something for him about business.

Q. You won't say whether it was a joke or not; you let it go down on the record now that you decline to say whether it is a joke or not?

Mr. LAPHAM. Oh, no; he has just answered differently.

Mr. VANCE. I think not. He stated it might have been a joke. (To the witness). You are not sure whether he said he was going to carry it by balls or bullets?

The WITNESS. To the best of my recollection I think it was balls.

Q. Well, be very careful on that point, because it is a very material statement between bullets and balls. Were you afraid to vote on the day of election?—A. I was, sir.

Q. You were?—A. Yes, sir.

Q. Do you know of any colored men having any trouble with their own race about voting the Democratic ticket?—A. I have not yet.

Q. You have not yet?—A. No, sir.

Q. Known of any?—A. No, sir.

Q. Do you know of any whose wives threatened to leave them?—A. For voting the Democratic ticket?

Q. Yes.—A. Just what I told you just now, if I go by all hearsays I might tell you, but if you ask me do I know of it—

Mr. LAPHAM. Yes, that is the question.

The WITNESS. No, sir.

By Mr. VANCE:

Q. You don't know of any such case?—A. No sir.

Q. Did you ever hear any colored man say so?—A. If they did I don't know it just now; I don't remember it at this time. As far as that is concerned, we people don't know nothing about any man voting the Democratic ticket; he stands just as high as they ever did before.

Q. They do?—A. Yes, sir; I know them well.

Q. What do you think of a colored man who votes the Democratic ticket?—A. I think if he choose a livery he is the boss; he made right smart of money by it.

Q. You think he had sold his birthright for money?—A. Well, sort of.

Q. Now a man that sold his rights for money, you say he stands as high as any other man among the colored people?—A. Well, it has been the case; they have not made any difference in them.

Q. Have not made any difference?—A. No, sir; I have not seen any.

Q. Between a man who maintains his rights in his purity and a man who sells them absolutely it does not make any difference? Well, I believe that will do.

EMANUEL CARTER, sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. I live in Danville.

Q. How long have you lived there?—A. I have been living there now about twelve years.

Q. Where did you live before going there?—A. Bred and born in Harrisonburg Court-House.

Q. Have you a family?—A. Yes, sir.

Q. What property have you?—A. No property at all.

Q. What is your business?—A. Blacksmith.

Q. You own a sledge-hammer, do you not?—A. Yes, sir.

Q. Where were you on the 3d of November last?—A. On the 3d of November?

Q. The day of the riot?—A. I was at my store part of the time; I was passing back and forwards on the street getting shoes and nails for my horse.

Q. Did anybody follow you with pistols?—A. No, sir; nobody never followed me, but I got out of the way mighty quick from them.

Q. Did you see anybody with pistols?—A. Yes, sir.

Q. Who?—A. I saw Mr. Hatcher; Ed Hatcher.

Q. Where?—A. In the mouth of the market, as I came out of Mr. Joplin's hardware store at the time Lawson and this white gentleman was in that fracas they had on the street; just before they shot I came out of the store. I went in and they was together there, and they didn't

pass nary a blow, but when I came out they was blowing one another, and I think the white man knocked the colored man down.

Q. I don't care about that.—A. Well, I was going on to tell you.

Q. I did not ask you for it; I want you to tell where you saw Hatcher with the pistol.—A. Right at the corner as I was going down the market.

Q. How long was that after the fight?—A. That was the commencement of it.

Q. Before the firing?—A. The fighting was going on and they was shooting too.

Q. What was Hatcher doing?—A. Hatcher came across the street, just below Mr. Nicholas's bar-room, and crossed the street about half way, and raised up and fired. As I turned the corner he raised up and fired, and I looked back, and he says, "Boys, now is the time," and I looked back, and it looked like it was hail falling up against the bricks.

Q. You mean they all fired?—A. Yes, sir; and I took right down the market to my blacksmith's shop.

Q. Did the whites follow down?—A. They come down the street into the mouth of the market, and some was coming down Main street towards the bridge.

Q. White people?—A. Yes, sir; and the colored people was running just the same as rabbits.

Q. Did the white people who come down have weapons?—A. Certainly they had, guns and pistols, too, as far as I seed. When I turned the corner there I saw them with them, and after I turned the corner I didn't see no more.

Q. Did you see Hatcher shoot more than once?—A. No, sir; never saw him but once.

Q. Which way did he fire?—A. Right into the mouth of the market, right off Main street.

Q. What was your business?—A. My regular business is blacksmith.

Q. Don't you work on the streets any?—A. No, sir; never in my life.

Q. Did you do blacksmithing for the city, for Mr. Bendorf?—A. I done blacksmithing for the corporation.

Q. For how long have you done that?—A. I have been working for the corporation ever since last August.

Q. Who is your superintendent?—A. Mr. Bendorf.

Q. He was foreman on the street improvements, was he not?—A. Yes, sir.

Q. Did he say anything to you that day about going into the street or keeping out of it?—A. Yes, sir.

Q. How long before this firing?—A. It was about 12 o'clock, as nigh as I can get at it.

Q. Tell the committee what he said.—A. It was about 12 o'clock, as nigh as I can come to it; he ate dinner at our shop right often; had his dinner brought there, especially when he was working close by the shop, and he come up that day, after eating his dinner, and stood in the door a little while and says, "There is going to be the devil to pay here to-day"; just so. He says, "If Sims puts his foot on the ground he would be a dead man." That was on Saturday.

Q. Did he say anything more?—A. I never said anything to him, he walked on and went off to his business; looked very angry.

Q. Did he say anything to you about going out on the streets?—A. Yes, he told us we had better keep off the streets.

Q. Did he say why?—A. No, sir; he didn't say why.

Q. Did you hear any other white man say anything about what was

to take place that day?—A. No, sir; I never heard nobody say anything about it.

Q. Except Mr. Bendorf?—A. Excepting it was him.

By Mr. VANCE:

Q. Mr. Bendorf was a good friend to you, was he not?—A. Yes, sir; he never interfered with me at all.

Q. You were under his control as superintendent of the streets, were you not?—A. No, sir; I was not under his control.

Q. You were working for the corporation, and the corporation streets were under his control; that was friendly advice he gave you, was it not?—A. I suppose it was, I thought it was, but the answer he made about killing of Mr. Sims didn't seem like he was much friend to nobody.

Q. It didn't bode any harm to you, did it?—A. It seemed to be right smart interesting to me to think a man would talk about killing another man, and I never heard of his having anything against him at all.

Q. What interest had you in Mr. Sims?—A. Nothing in the world.

Q. He didn't threaten Mr. Sims himself, did he?—A. No, sir; not himself.

Q. Only predicted what he thought others would do?—A. Yes, sir; that is all.

Q. And in view of the threatened trouble on the street he advised you to keep off the street?—A. Advised us to keep off the street. He said, "You better keep off the street."

Q. And that you say was friendly advice?—A. Yes, sir. I had to go on the street just about the time this riot was. There was a gentleman rode up to the house to have his horse shod. I wasn't thinking, though, when I went to get the shoes, of anything going on in the street. When I got there these two men were having their battle, and I went in to get my shoes as quick as I could, and when I came out they were fighting and the policeman was trying to get them apart, and I turned out from the store and turned the corner and the pistol fired, and I looked back and saw who it was fired the pistol.

Q. Who was it?—A. Hatcher.

Q. Who did he fire at?—A. I don't know who he fired at.

Q. Did you see the colored men run about the time he fired?—A. Not when he fired that one, but when the balance of them fired, in about a moment's time, you bet your bottom dollar they got up and run.

Q. Is that the first pistol you heard?—A. That is the first one I heard.

Q. Then how long was it until the whole lot of them fired?—A. It was not more than a minute or two; it was not hardly a minute, because I don't know as I got as far from them—the noise of the shooting—as from here to that door.

Q. Did you stand a little, or did you go right on?—A. No, sir; kept walking on and kept looking back, and when the balance of them fired then I shoved up.

Q. You didn't stand, then, to see who it was that fired the first pistol?—A. I saw Mr. Hatcher fire it, but the balance of them, I don't know who they was. I know Mr. Hatcher, because I used to work with him.

Q. Where was Mr. Hatcher when he fired the pistol?—A. About the middle of the street that fronts the market.

Q. Where it fronts Market street?—A. Yes, sir.

Q. What did he say when he fired the pistol?—A. He says, "Boys, now is your time."

Q. Did the others fire as soon as he did?—A. Right after him.

Q. There was not a minute's intermission between the time he fired and the balance of them?—A. It was very little time. It was not a minute; I don't think it was more than a minute.

Q. Did you see anybody trying to separate the men?—A. I saw the two colored policemen, Mr. Withers one of them, was trying to get them apart, and then when I was going on looking back I saw the other police running across to where they were. I kept on and never turned back any more to look at nothing. I thought it was time I was getting away from there.

Q. Did you see the scuffle between the white man and the colored man for the possession of the pistol?—A. I never saw the pistol.

Q. You didn't see it?—A. No, sir.

Q. Do you know the man who was getting beaten?—A. Yes, sir.

Q. What was his name?—A. Hense Lawson.

Q. Do you know the man that was beating him?—A. No, sir; I don't know the man; I heard the name called, but disremember his name.

Q. Did you see him strike him?—A. Yes, sir; both of them were striking.

Q. Did you say one of them was down?—A. Yes, sir; Hense was down when I saw him.

Q. On the ground?—A. Yes sir.

Q. Did you see what the other man struck him with?—A. No, sir.

Q. Didn't see any weapon in his hand?—A. No, sir; didn't see nothing in his hand.

Q. Was that before or after the first pistol was fired?—A. Just before the first pistol was fired.

Q. And the first pistol you say was fired by Mr. Hatcher, and just before he fired he said, "Boys, now is your time?"—A. Yes, sir.

Q. And the balance fired, and then you disbanded?—A. I vanished.

Q. Where did you go to?—A. I went on to the shop as hard as I could go.

Q. Where was your shop located?—A. My shop is just below Market to the right; I couldn't call the name of the street it was on, but right back of the court-house.

Q. How far from where this fight occurred?—A. From the market?

Q. The fight didn't occur at the market, you know; that crowd at Mr. Woolfolk & Blair's office, how far was that from the court-house where your shop was?—A. From where my shop is up at the corner of the store where I got the shoes from, I reckon it is 400 or 500 yards; it might have been a little more.

Q. You went to your shop?—A. Yes, sir; I went there and I stood there some time before I shod this horse, I was so scared, and after I got over my scare I shod the horse as quick as I could and I put on my coat and I went up by the court-house and stood a little while to hear whether they was done shooting, and I heard they was done shooting, and I saw them drilling coming down street, and I takes leave.

Q. That was the guard appointed by the mayor?—A. Yes, sir; and I goes across Main street right out to my house, and I never returned no more till Monday late in the day.

Q. The firing was over long before you were done shoeing the horse, was it not?—A. Oh, yes, sir.

Q. Did you go back to see?—A. No, sir; I didn't go back to see, I came across to go home; right across at the Arlington House.

Q. Where did you listen to hear if the shooting was done; was that before you shod the horse?—A. Oh, yes; I could stand and hear them cracking just the same as a whip.

Q. After you had run?—A. I was standing there by my shop.

Q. After you had walked 400 or 500 yards?—A. Yes, I was done standing in my shop and could hear them crack.

Q. Well, by the time you first began to shoe the horse, could you not still hear the firing?—A. No, sir; I don't think they was firing any when I commenced shoeing the horse; I think it was all done with.

Q. Did you hear the town bell ring?—A. I did.

Q. When was that?—A. That was just about the time I commenced working on the horse.

Q. The firing was over then?—A. Yes, sir; just about the time the firing was over.

Q. You heard no more firing after you began shoeing the horse?—A. After I commenced shoeing the horse, I never heard no more firing.

Q. But you heard the bell ring?—A. Yes, sir; the bell is right close to me.

Q. The bell is right close to you?—A. The court-house is, and the bell is right on the top of the court-house.

By Mr. LAPHAM:

Q. Did you vote?—A. No, sir.

Q. Had you registered?—A. Yes, sir.

Q. Did you intend to vote?—A. I intended to vote on the Friday night before this riot took place.

Q. Did you have any arms?—A. Not one in the world.

Q. Did you see any colored men with arms?—A. I never saw any with arms.

Q. Did you hear Sims the evening before?—A. I staid to hear him speak from the time he got up till they broke up.

Q. Did he say anything to the colored people with regard to the use of arms on election day?—A. No, sir; he gave advice.

Q. I asked you if he did.—A. He give advice in this way: He says, "You all go to the polls like men; have no fuss, no threatening at all to anybody; and if anybody interferes with you go on and take it, and don't say nothing." That is the last words I heard him say.

Q. Didn't he say anything about going unarmed, or going without arms?—A. He didn't tell them to go armed.

Q. He told them to go peaceably?—A. Go peaceably.

Q. That was toward the close of his speech?—A. Yes, sir; there was one man in the crowd about the time he got half way through his speech that drew a pistol—a white man. I don't know who he was, but it was so said by some of them he was fixing to shoot him on the stand. Some of them went up to the stand and told him, and he said he was not afraid of any man shooting at him if he come in front of him; said he was not afraid of any man shooting him no way; that was all stuff.

Q. He closed up that speech by advising you to all go peaceably, and if insults were offered to receive them without resistance?—A. That is the truth, exactly what he told them; and if there had not been that shooting on Saturday evening I believe they all would have went square to the polls and voted.

Q. That is the reason you did not go, is it?—A. That is the reason I didn't go; because I was afeared.

ELIJAH COUSINS sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. I live in Danville.

Q. How long have you lived there?—A. Ever since 1877.

Q. Have you a family?—A. No, sir; my wife is dead; she has been dead going on nine years.

Q. What was your business in November last?—A. I had been rolling tobacco.

Q. Worked in a tobacco factory?—A. Yes, sir.

Q. Do you remember a conversation you had with Mr. Young?—A. Yes, sir.

Q. When was it?—A. It was about between 9 and 10 o'clock on Saturday morning.

Q. The same day of the riot?—A. Yes, sir.

Q. Where was it?—A. Right in front of Mr. Vass's hardware store.

Q. Who is Mr. Young?—A. A gentleman from Jacksonville, named Wimbush Young, who I was raised with. His father raised me.

Q. A white man?—A. Yes, sir.

Q. A Democrat?—A. I think he is; I don't know.

Q. What did he say to you, if anything, there on the street?—A. Me and a couple of men were talking, and he came by me with saddlebags on his back. He is a horse trader, and he says to me, "Elijah"—told me to come to him, and called me a short distance from the other men standing listening. He says, "You get out of the street, and tell all the boys from Jacksonville to get off the street, for some of you are going to get killed here this evening."

Q. Did he say it in earnest?—A. I did not think it was in earnest at the time he spoke, but after the thing occurred I think it was in earnest.

Q. He was a friend of yours?—A. Of course he was; I think a very kind friend.

Q. He was brought up with you?—A. I lived with his father until I was eight or nine years old.

Q. Were you a slave?—A. No, sir.

Q. Did you see any persons carrying guns?—A. I think I saw about four white lads, not grown, going there with two guns apiece.

Q. Going where?—A. Going into Mr. Woolfolk & Blair's office. I cannot recognize their names. The reason why I took particular notice of them—

Q. Just answer my questions now. You saw some persons going with guns into this office, when?—A. On Saturday morning, just about the time he told me. I was just a door below it when he told me that.

Q. What kind of guns were they?—A. They were breech-loading shot-guns.

Q. Did you see anything done with the guns?—A. I went on the rear end of the house, where I had my washing done by Mrs. Mills, and standing looking there saw two youngsters there with new guns, rubbing the guns off and loading them.

Q. In the back yard?—A. No, sir; in the rear end; you know it is an insurance office.

Q. In the rear end of the office, then?—A. Yes, sir.

Q. How long was that before the riot?—A. That was between 11 and 12 o'clock. I went around after my clothes.

Q. Were they breech-loaders or muzzle-loaders?—A. Breech-loaders.

Q. You saw them putting the cartridges in?—A. I saw them when they broke the gun, you know, to put the cartridges in.

Q. What did they have the cartridges in?—A. They had a box about that long and so wide [illustrating].

Q. And you could see them?—A. Reach down and take the cartridges out.

Q. A box about a foot long and a foot wide?—A. Yes, sir; about a foot and a half long, and I reckon about a foot wide. The box seemed to be setting in a chair.

Q. They took the shells out of that?—A. Yes, sir.

Q. What did they do with the guns after they loaded them?—A. I didn't know; I left there.

Q. You can't say whether they took them in the office?—A. No, sir; they was in the back room of the office.

Q. Was this, in fact, before or after Mr. Young had told you to keep out of the way?—A. After.

Q. How soon?—A. He told me between 9 and 10 o'clock, and this was between 11 and 12 o'clock.

Q. The same forenoon?—A. Yes, sir.

Q. Did you see anything of the shooting?—A. Yes, sir; that evening I came down the street. We had—

Q. You come right to the answer, now. Answer my question. If you saw any white person shoot, tell the committee who they were.—A. I saw the whole of it, because when the shooting commenced—

Q. Tell who they were.—A. I saw Mr. Blunt.

Q. Give me the names of the persons.—A. Mr. Blunt, and Mr. Graves, and Mr. Lea, and Mr. Hatcher is all I recognized. I know their names.

Q. In what direction did they fire?—A. Mr. Blunt was shooting in the direction through the market; Mr. Graves shot twice and Mr. Lea twice down the street; I don't know the name.

Q. Where did Mr. Hatcher shoot?—A. He shot right across towards Mr. Jones's drug store, like in that direction [indicating].

Q. Across Main street?—A. Yes, sir.

Q. Where did Mr. Lea shoot?—A. When he raised his pistol and waved his hand he holloed "fire." The whole crowd then fired.

Q. How many?—A. I think there were between thirty and forty. The line had struck, and I was behind the line, and I could not move from where I was.

Q. Did they have guns or pistols?—A. They had pistols. They had guns, but didn't shoot no guns as I saw.

Q. When that command was given you say they all fired?—A. All fired at once.

Q. Where did they fire?—A. Fired right across Main street.

Q. Where the colored people were standing?—A. Yes, sir.

Q. Now, in that crowd of colored people, were there men, women, and children?—A. Yes, sir; they was of all sorts.

Q. What did they do when they fired?—A. They run.

Q. Did the white people follow them?—A. They followed them down near to the corner of Market street until they got where they could shoot right down there on Market, and shot there on Market.

Q. You mean through Market street, I suppose?—A. Market street; yes, sir.

Q. Did the colored people run in all directions?—A. Yes, sir.

Q. Did you see any colored people with arms?—A. I did not.

Q. Didn't see any one at all that day anywhere?—A. No, sir.

Q. You had no arms?—A. No, sir; we had been advised not to carry any arms.

Q. By whom?—A. We was advised by Squire Talliferro, one of the speakers, and by Mr. Sims.

Q. You knew people had been indicted for carrying arms, didn't you?—A. Yes, sir; there was a great deal been indicted, and I never owned but one any time.

Q. You had no arms this day?—A. No, sir.

Q. Did you vote?—A. Yes, sir.

Q. Where?—A. At the court-house, first ward. I had tickets.

Q. Did you see any white people armed there?—A. I did; yes, sir.

Q. How many?—A. A great deal of them.

Q. What kind of arms?—A. Pistols.

Q. Can you name any of them?—A. No, sir; really there was so many I don't know that I could name them.

Q. There were a good many with arms there on election day?—A. Yes, sir; but then there was no threatening.

Q. No; I understand that. How did they show their pistols?—A. They was carrying them not concealed.

Q. So that they were visible?—A. Yes, sir.

Q. In their breast pockets?—A. Yes, sir.

By Mr. VANCE:

Q. Those men you saw there with pistols were the guard appointed by the mayor, were they not?—A. Some was and some not.

Q. Did you know all the guard?—A. Yes, sir.

Q. I don't mean the police, now.—A. I mean they had thirty-six special guards appointed, and I know the ten that were on the first ward.

Q. Did they all stay at one ward, or go around from place to place?—A. There was ten, with their captain, that staid at the first ward, or around in the suburb of the ward; but there was ten at each ward.

Q. Did you see anybody, now, except those guards, that had pistols that day?—A. Oh, yes; I saw several that had pistols, youngsters.

Q. Can you give us some names?—A. No, sir; I cannot, because, really, I don't know these young men there.

Q. Then you don't know whether they were appointed by the mayor, do you?—A. All appointed by the mayor had stars on to distinguish them from the others.

Q. Did you go to any of the other wards?—A. No, sir.

Q. You do not know, then, whether those at the other wards had stars on or not, do you?—A. No, sir; I don't know what they had on.

Q. But you say those at that ward that purported to be guards had stars on their breasts, lapel of the coat, to distinguish them?—A. Yes, sir.

Q. You say that those that did have pistols did not have them concealed?—A. No, sir.

Q. You say there were no threats?—A. I didn't hear any that day.

Q. Nobody interfered with you to vote?—A. No, sir; because they could not get anybody to carry tickets to the polls, and I said I would carry them.

Q. Do you think the colored men could have voted without interference?—A. They would have voted; but the Monday before election there was a crowd that wanted to go hunting and went down to Mr. Woods to buy ammunition, and they would not sell it, and white men come along and bought ammunition, and they said they had orders to

sell to white people but not to colored, and many of the colored voters had gone out of town for fear of being killed.

Q. Now, if the colored people had come up there and offered to vote, as you did, don't you think they could have done so in safety?—A. I don't know.

Q. Did they have any reason to keep others from voting any more than they had to keep you from going there to distribute tickets?—A. I run the risk; but everybody will not run the same risk.

Q. Could not a man of reasonable firmness run as much risk as you did?—A. Of course.

Q. In behalf of the right of suffrage you took that risk, did you not?—A. I took that risk myself, but what others would have done I cannot swear to.

Q. You say you saw the whole of this shooting?—A. I did, because from the place I was I couldn't run; I had to stand right where I was until a gentleman came, and said, "Open the back door." And I went through Mr. Vass's hardware store.

Q. You were right behind the white people then firing?—A. Yes, sir.

Q. Are you certain it was Lea who gave the command to fire?—A. When the command to fire was given it was so instantly I cannot say; but I saw him waiving his pistol in his hand when the command was given.

Q. You said just now in your answer to Senator Lapham that Mr. Lea waived his pistol and gave the command to fire?—A. I said that Mr. Lea waived his pistol and said "fire," and at the minute they all fired, and by Mr. Lea waiving his pistol I took it to be him that gave the command?

Q. Well, that command "Fire" you cannot say about. Did not Mr. Hatcher give that command?—A. I don't know; he might have given it at another place. Hatcher was in another place.

Q. Where was Hatcher?—A. Hatcher was to my left, and Lea to my right.

Q. How far apart?—A. I reckon about 20 yards apart.

Q. That would make some 60 feet?—A. I guess it would; of course it would.

Q. Where was Mr. Lea standing?—A. He was standing right in front of Mr. Woolfolk & Blair's office.

Q. Where was Mr. Hatcher?—A. Mr. Hatcher was sort of to the left, towards Hessberg & Nicholas's.

Q. That would make him come down the street towards Hessberg & Nicholas's saloon?—A. Yes, sir.

Q. Well, 60 feet would carry him plumb down to the saloon?—A. Well, I state that, I do not know, of course.

Q. And you say Hatcher was standing down there?—A. He was below, like.

Q. Were there any colored people there?—A. The colored people was all in the middle of the street; the white on the sidewalk.

Q. But there was not enough of them to reach from Woolfolk & Blair's to Hessburg's saloon, was there?—A. They was coming right on up from the market in that direction, and when the firing was then they run right down mostly right through the market.

Q. Did you see Mr. Hatcher fire?—A. Yes, sir.

Q. Do you know who he fired at?—A. No, sir.

Q. You have not any idea who he fired at?—A. No, sir.

Q. Did you see any colored people fall when the pistols fired?—A. I

only saw one. When Mr. Blunt fired I saw Reuben Haines fall, but whether he fell from the shot of Mr. Blunt or not I cannot tell.

Q. Was he killed?—A. No, sir; the ball struck him somewhere about the temple, and he is living yet.

Q. How far was he from you?—A. He was down at the corner of the market, like. It is across the street. I don't know what the distance of the street is.

Q. When the first firing was, up there opposite Woolfolk & Blair's office, did you see anybody fall there?—A. No, sir; I did not. Nobody fell until Jerry Smith fell right on the corner against Jones's drug store.

Q. That was across the street?—A. Yes, sir; I could see him when he fell.

Q. Was he shot at the moment he fell, or did he run and then fall?—A. I don't know.

Q. Well, was there any pistol firing on him?—A. He fell the way of the fire and so I cannot give any estimation at all.

Q. In what part of his body was he shot?—A. He was shot in the back of his head like.

Q. He was shot, then, as he was running away from the fire?—A. Yes, sir.

Q. Did you see the body after he was shot?—A. No more than from across the street, because as soon as I could go out of the back way I went off the street.

Q. I mean did you examine the body?—A. No, sir; I saw the spot he fell at, but exactly where the place was I could not say.

Q. What Graves was it you saw fire?—A. Captain Graves.

Q. The old gentleman?—A. Yes, sir.

Q. Where was he standing?—A. He was standing at that street that runs down towards Mr. White's livery stable.

Q. That was a continuation of Market street, was it not?—A. Yes, sir.

Q. How far was he from Hatcher?—A. Well, he was not very far apart. He was standing where he could fire down both streets, and Mr. Hatcher could not fire down that street, but he could fire down Market street and Main.

Q. Where was Mr. Blunt standing when he fired?—A. He was down right in front of Mr. Averett & White's shoe store.

Q. Where is that, below or above Market?—A. Right in front of Market street; just below Hessburg & Nicholas's.

Q. Hessburg & Nicholas's is on the corner, is it not?—A. Yes, sir.

Q. Then Jones's is the next corner?—A. Yes, sir.

Q. Blunt was standing there?—A. Yes, sir.

Q. Well, there is Blunt and Hatcher and Graves all down near that corner?—A. Them that I could recognize.

Q. Who was by, helping Mr. Lea, at Woolfolk & Blair's?—A. There was about twenty-five or thirty, or more than, that shooting, too. I did not look; was not acquainted with them enough to call their names, and more than that I could not look around because I had to look to try to get out of the way myself.

Q. I will ask you if the first fire was not all done up in front of Blair & Woolfolk's office?—A. No, sir; the whole line was struck from Woolfolk & Blair's office, clean down to the corner.

Q. How many people in that line?—A. I don't know, but perhaps twenty-five or thirty; and at the command "fire," they all fired at once all through that line.

Q. It was, then, a very thin line, was it not? They were not doubled up?—A. It was just a single line.

Q. Just one rank of men standing abreast. There was not any rank behind the others, was there?—A. I did not notice whether it was single or double, but I knew the line extended that far, because I could not run either way.

Q. Were there any men touching arms close by the side?—A. Blunt and Hatcher and Graves.

Q. Blunt was farther off from the crowd than any one?—A. Yes, sir.

Q. How far off from the other next man with a pistol?—A. I reckon about as from here to that door, perhaps, or a little further [illustrating].

Q. Do you know these boys that went into Woolfolk & Blair's office loaded with guns?—A. No, sir; I saw four or five different ones go in.

Q. What size boys?—A. Youngsters; not quite half grown, perhaps, and a little larger; larger and smaller.

Q. They had two apiece?—A. Yes, sir; most all I saw going there had two apiece.

Q. Who was in there helping them load?—A. I don't know; I only saw these two youngsters in there loading.

Q. Were they the two same ones that carried the guns in?—A. I don't think they were.

Q. Loading in the back yard or back room?—A. No, sir; in the back room.

Q. When did you see them in there loading?—A. That was between 11 and 12 o'clock.

Q. Were you in the back room?—A. No, sir; I was in the back yard. There is a little back place there where people live, on the rear end of the house, and I went back there after my wash.

Q. And Mr. Wimbish Young told you to go off the street, and tell all the colored boys to go off the street?—A. Yes, sir.

Q. What did he say?—A. He said there were going to be somebody killed that evening.

Q. Did Mr. Wimbish Young live at Danville?—A. He is a horse trader; I don't know whether he does or not.

Q. He had his saddle-bags on his shoulder?—A. Yes, sir; he was going out of town then, I think.

Q. Did you see him there frequently?—A. I saw him before Christmas, but since I have not, because I have not been out.

Q. And you don't know where he can be found?—A. I don't know whether he can be found there or not.

Q. You saw the boys rubbing and cleaning guns too, did you?—A. They seemed to be rubbing them off; they were new guns.

Q. How long did you stand looking at them?—A. I stood a very short time. I very often saw a crowd of hunters, and I thought it was going to be a crowd going hunting before I heard what Mr. Young said, and that is the reason I took particular notice to see the guns there.

Q. You do not know but what the boys went hunting that day, do you?—A. If they did, it was mighty late, because it was between 11 and 12; but all that crowd of guns did not go, I know.

Q. Did you hear any shot-guns fired, or see any fired?—A. I did not see any fired, but saw the shot-guns.

Q. Who had them?—A. There was a crowd standing back in the house with shot-guns in their hands that did not fire.

Q. What house?—A. Woolfolk & Blair's office.

Q. How many?—A. I don't know; I saw several.

Q. You spoke of a crowd?—A. I did; several never came out at all. After I got by the door I looked up at the shot-guns, reminded of what

he had told me that morning, and then I tried to make my escape, but the firing started too soon for me to get out of the way.

Q. Now, you had this warning from Mr. Young, and had seen all these guns, and all these preparations, why didn't you take that warning?—A. It was through carelessness, is all I can tell you; didn't believe it was going any further.

Q. Did not believe it was going to come to anything?—A. No, sir.

VAL PATTERSON sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived there?—A. I have been there about eleven years.

Q. Where did you live before going there?—A. I lived in Greensboro', N. C.

Q. Were you a slave?—A. Yes, sir.

Q. Have you a family?—A. Yes, sir.

Q. What is your business?—A. Gas-lighter.

Q. Do you light the streets?—A. Yes, sir.

Q. How long have you followed that?—A. It will be two years next month.

Q. That was your business in November last, then?—A. Yes, sir.

Q. Where were you this day of the firing?—A. Right there on Main street.

Q. Did you see anybody bringing guns out of Woolfolk & Blair's office?—A. Yes, sir.

Q. How many did you see?—A. I saw somewhere about five or six.

Q. What were they?—A. They looked like these breech-loaders.

Q. Pistols or shot-guns?—A. These breech-loaders; shot-guns, I reckon.

Q. What did they do with them?—A. After the people commenced firing there they fetched them out; four or five men came out with them?

Q. What did they do with them?—A. I don't know whether they shot or not.

Q. But you saw them come out of the office with the guns in their hands?—A. Yes, sir.

Q. Was that the office where a gentleman stood with a shot-gun before the firing began? Was it the same office?—A. It was Mr. Woolfolk & Blair's office.

Q. Were you in the office that day?—A. No, sir; I was not in it at all.

Q. You do not know how many guns were in there, then?—A. No, sir.

Q. That is not a store for the sale of guns, is it?—A. No, sir; I have never seen any in there before.

Q. Before that day?—A. No, sir.

Q. Where were you at the time of the firing?—A. When they first fired I was right there on Main street, just on the other side of Mr. Cole's.

Q. Who fired?—A. I don't know who it was—white people.

Q. Did you see any colored people with arms?—A. I saw some colored people on the street.

Q. Did you see any colored people with pistols in their hands?—A. No, sir.

Q. Or guns in their hands?—A. No, sir; didn't see no guns or pistols in their hands.

Q. When these guns were brought out of the office were they handed to people there?—A. Yes, sir.

Q. But you do not know to whom?—A. I don't know.

Q. They were brought out and distributed to persons standing there?—A. Yes, sir.

Q. Who they were you cannot state?—A. No, sir.

Q. Do you know of any guns or pistols in any other place than in that office that day?—A. No, sir.

Q. You were in the employ of the corporation, were you not?—A. Yes, sir.

Q. Who was your superintendent?—A. Captain Blue.

Q. Of the gas works?—A. Yes, sir.

Q. Had you had any warning before that of the danger?—A. No sir; I had none at all.

Q. Did you vote?—A. No, sir.

Q. Why not?—A. I was afraid to vote.

Q. You had registered?—A. Yes, sir.

Q. Intended to vote?—A. Yes, sir; intended to vote.

Q. Have you a family?—A. Yes, sir.

Q. State how many children.—A. I have got four boys and two girls.

Q. How old is the oldest?—A. The oldest is about sixteen.

Q. How old are you?—A. I don't know my age.

Q. Well, about how old are you?—A. Well, I don't know; you can judge.

Q. Do you know where Glass is?—A. No, sir; I 'aint seen him.

Q. Then you do not know why he went away?—A. No, sir.

By Mr. VANCE:

Q. You say you do not know how old you are?—A. No, sir.

Q. How do you know you are entitled to vote?—A. I know I is.

Q. Why?—A. Because I was twenty-one about six years ago.

Q. And you do not know how old you are now?—A. No, sir.

Q. How do you know you were twenty-one six years ago?—A. Because my mother told me so.

Q. Then, can't you figure it out how old you are?—A. I might figure it out if I were to study it up.

Q. If you are competent to decide upon a question of constitutional law you are certainly competent to tell how old you are. Well, we will let that pass for the present. How many men did you see come out of Woolfolk & Blair's with guns?—A. I saw somewhere about five or six.

Q. Where did they go?—A. They handed the guns out.

Q. The men did not come out with them, then?—A. No; they handed them out.

Q. Who took them?—A. I didn't know any one of them.

Q. Did anybody take them?—A. Yes, sir.

Q. What did they do with them?—A. I don't know what they did with them. They commenced to shoot. When they commenced to shoot I got out from there.

Q. Did you hear any of those shot-guns fired?—A. Yes; I could hear guns shooting. I don't know what sort of guns they were.

Q. Can you tell the report of a shot-gun from a small pocket pistol?—A. I heard some shooting loud and some shooting low. I thought they were guns.

Q. How many did you hear fired?—A. I thought I heard somewhere about six or seven.

Q. About as many as came out of Woolfolk & Blair's office?—A. As nigh as I can come at it.

Q. Did you see any men wounded with shot wounds after the firing was all over?—A. I saw a man shot; don't know what he was shot with.

Q. Could not tell whether it was a single ball or a quantity of shot?—A. No, sir; I just seen blood running from his head.

Q. How far were these men from the white folks on the sidewalk when the firing began?—A. Which men?

Q. The colored people.—A. They was all over the street.

Q. How far was the nearest line of colored people from the nearest line of white people?—A. They was right at them; some of them was mighty near, from that clean across the street.

Q. Did you see any colored people fall when the guns commenced firing?—A. No, sir; I did not take time to look to see whether they commenced to fall. When they commenced firing pretty hard I left.

Q. You saw the first volley, did you not?—A. Yes, sir; I seen them when they first commenced shooting; who they were I don't know.

Q. Now, a man with a shot-gun standing on the sidewalk, five or six feet from a crowd of colored people, could have hit some of them if he wanted to, could he not?—A. I don't know about that.

Q. You don't know about that?—A. No, sir.

Q. He could not well have missed the crowd, could he, if there had been anything in the guns?—A. It looked like they might kill more than they did.

Q. Now, what do you understand to be the reason why they did not kill more?—A. I do not know what is the reason they didn't.

Q. Do you believe what is said by some of the witnesses that they fired up in the air?—A. I don't know where they fired, hardly.

Q. Well, now, you are not so cowardly that you would run before you could tell. You knew you were on the top of the earth, didn't you?—A. Of course I knew.

Q. You were not that scared that you could not tell which way the guns were leveled?—A. It looked to me they fired right across the street.

Q. Above the heads of the people who were there?—A. It looked to me they shot right through the crowd.

Q. Right through the crowd, and yet nobody fell?—A. It looked to me right through the crowd.

Q. The truth is you were so badly scared you cannot tell anything about it; is not that so?—A. That is as nigh as I can come at it.

Q. How many children have you got?—A. I got somewhere about six or seven.

Q. Can't you tell exactly how many you have got?—A. Well, I got four boys and two girls, I think.

Q. Well, that makes six; how old is the oldest one?—A. She is somewhere about sixteen, I think.

Q. So you were married and commenced propagating your species at ten years old; you were ten years old when you took a wife?—A. I reckon so—hold on! Ten years old? No, sir; I was over ten years old though. I was near about twenty-one when I took a family.

Q. Then you are more than twenty-six years old if you have got a daughter sixteen years old?—A. Yes; I don't know exactly how old I am, as I stated here. I will tell you a thing so far as I know.

Q. I will never press a man with questions who cannot tell me how old he is; so you can stand aside.

STEPHEN GRAHAM sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In North Danville.

Q. How long have you lived there?—A. About ten years.

Q. Where were you born?—A. North Carolina.

Q. Were you a slave?—A. Yes, sir.

Q. Have you a family?—A. Yes, sir; I have a wife.

Q. What is your business?—A. Working in the factory.

Q. Tobacco factory?—A. Yes, sir.

Q. Were you at work the day of this riot?—A. Yes, sir; I was at work on the day of the riot.

Q. How late did you work?—A. I worked until 4 o'clock.

Q. You did not see any of the shooting?—A. No, sir; I was not out on the street to see any of the shooting.

Q. When you came out of the office what condition of things did you find?—A. When I came out I found men armed on the street. Every white person I saw—man or under-sized boy—was armed, had a gun.

Q. How about the stores?—A. The stores were shut up when I came out.

Q. Did you have to cross the bridge?—A. Yes, sir.

Q. Did you find a crowd there?—A. I found men standing there armed.

Q. Where did you go from there?—A. I went across the bridge. I was told by them to go from off the streets, and hurried on, and did not have time to stop to see what was going on.

Q. Where did you go?—A. I went across the bridge, expecting to get some supplies on the other side, and I stopped there to see and found the store closed.

Q. Whose store?—A. Mr. Blackwell's.

Q. How many persons were there?—A. A good many persons standing right around the store at the time.

Q. I say how many?—A. I don't know exactly how many.

Q. Women and children?—A. Women and children.

Q. Colored people?—A. Yes, sir.

Q. Who came there?—A. Mr. Lea came across the bridge.

Q. What Lea?—A. Thomas Lea.

Q. How did he come?—A. He came across the bridge riding in his buggy—him and another gentleman, whom I don't know. He stopped as he got at the bridge and drew a pistol up and leveling it about our heads said, "Every damn one of you disperse and get away; leave here, every damn one of you." He kept on with his conversation and I walked off a little.

Q. He did not fire?—A. No, sir; he did not fire at that time.

Q. Do you know who was with him?—A. No, sir; I didn't know the gentleman that was with him.

Q. Did he have a weapon?—A. I didn't see him have any.

Q. Did the persons who were there leave when he said this?—A. They began to go away gradually. I walked up on the railroad myself, because I didn't wish to be shot.

Q. Did you go to the election?—A. No, sir; I didn't.

Q. Had you registered?—A. Yes, sir.

Q. You intended to vote?—A. I was intending to vote.

Q. Why didn't you?—A. The reason why I didn't vote was because I was afeared to go to the polls to vote.

Q. Did you see white people on election day armed; outside of the police force, I mean?—A. I didn't go near the election. I live on the north side. I didn't go near the election to see what they had there.

By Mr. VANCE :

Q. What store was it where these people were that Mr. Lea came to?—A. It is Mr. Motley and Mr. Blackwell.

Q. That is over at North Danville?—A. It had been Mr. Robinson's store, but I think he had sold out.

Q. That was at North Danville, was it?—A. Yes, sir; right at the bridge.

Q. Who was with Mr. Lea?—A. I did not know the gentleman who was with him—a white gentleman.

Q. Did he say anything?—A. I didn't hear him say anything.

Q. Was Mr. Lea on horseback?—A. Mr. Lea and him was in a buggy.

Q. He and the other white man in a buggy?—A. Yes, sir.

Q. Which way were they going?—A. He was coming out from South Danville.

Q. Where does he live?—A. He lives in North Danville.

Q. He was going towards his home?—A. He was going towards that direction.

Q. Mr. Lea is a magistrate of North Danville, is he not?—A. I think he is councilman; no magistrate now at present.

Q. He was at the time, was he not?—A. At that time I don't believe he was; according to my recollection, I don't think he was.

Q. You came out on the street when you left work that evening; you say you saw some armed men on the street?—A. Yes, sir.

Q. Were they men that had been appointed by the mayor to keep the peace?—A. I saw them and also saw others. I don't know whether the boys were sworn in or not; they were there.

Q. What I wanted to know was whether you saw any but those authorized by the mayor?—A. Nearly every one I saw had guns or pistols.

Q. How long after the excitement was over?—A. This was about 4 o'clock; we usually break up at 4.

Q. And the riot occurred between 3 and 4? So it was not very long after the riot?—A. Not very long, sir.

Q. Did you hear the town bell that evening?—A. Yes, sir.

Q. Had they turned out at the time the town bell rang?—A. No, sir; I heard the fire bell, at least.

Q. Did you hear the firing of the guns?—A. No, sir; I did not hear it; being in the factory I could not hear it.

WASHINGTON, D. C., *February 27, 1884.*

SQUIRE TALLIAFERRO sworn and examined.

By Mr. LAPHAM :

Question. Where do you reside?—Answer. In the town of Danville.

Q. How long have you lived there?—A. Ten years I believe.

Q. Where did you live before going there?—A. I was raised in Lynchburg, and came there in the fall of 1872.

Q. You are a native Virginian, then?—A. Yes, sir.

Q. Were you a slave?—A. I was.

Q. What is your age?—A. About forty-two, I believe. I was born in 1841, the first day of March; that is what I learn.

Q. What was your occupation in Danville, in November last, at the

time of this riot?—A. I was not in business at that time at all; before that I was a sanitary commissioner.

Q. By whom were you appointed?—A. The common council.

Q. How long had you occupied that position?—A. Six months during that season.

Q. But on the 3d of November you were not acting as such?—A. I was not acting as policeman at all.

Q. When did you cease to act?—A. On the 1st of October.

Q. Where were you the day of this riot?—A. I was on the corner of Market and Main streets, about 60 or 65 feet, may be more, I could not say exactly, of the scene of the commencement of the fuss.

Q. What were you doing there?—A. I had been up to the opera house; there had been a meeting called of citizens, and I saw an account of it and happened to go up there.

Q. Were you admitted?—A. I was not.

Q. Did you see any people coming from the opera house before the firing began, coming up the street?—A. I don't know much about that part of it. It was something a little sort of funny with me just before the firing began, and I wasn't looking for other people. At the time of what was the so-called fist fight, there was a couple of policemen, colored ones, and a white man went out and undertook to stop the fight, and in that affair was a scuffle between a colored man and a white man for a pistol, and in that scuffle, or shortly thereafter, in the course of a moment, I suppose, or less than that the pistol went off. I heard some one say "We will give them hell to-day."

Q. A white man, or a colored man?—A. He was a white man; I know the man who said the words.

Q. Who was it?—A. Mr. Hatcher.

Q. You heard Mr. Hatcher say that?—A. Yes, sir.

Q. What did you do then?—A. I thought it was just best for Squire to look out for Squire, and I walked away.

Q. Which way did you go?—A. I went right on down through the market.

Q. Where were you when the firing began, except this one pistol?—A. I was on Patton street; but I am a little ahead of time. When I started from the market, there was but few men, very few men, was then coming down out of the opera house.

Q. That was before the firing?—A. Before the bulk of it, and I was then at Patton street, which was only a block.

Q. How far were you from the place when the firing began?—A. Just one block, but I don't really know the size of the block.

Q. How was the firing, quick or rapid or slow?—A. When it commenced it seemed to be about four pistols fired separately, they seemed to be of different sizes, but from that it was like a pack of squibs thrown in a barrel.

Q. Rapid firing?—A. Yes, sir.

Q. How many pistols, in all, do you think were fired?—A. I couldn't tell.

Q. You can tell something about it?—A. I suppose there was two hundred to two hundred and fifty.

Q. Could you see in Main street from where you were?—A. I could not.

Q. Did you see any colored people running?—A. They caught me.

Q. They overtook you?—A. Yes, sir.

Q. What class of people?—A. They were men, women, and children.

Q. All colored?—A. Oh, yes.

Q. Did you notice whether anybody was following those that you saw running?—A. I could not look; I heard some balls and things, and didn't know which way they were going.

Q. Did you hear shots after they were running?—A. Oh, yes; and I heard balls whistling, I thought, by me, and I didn't stop even to look which way they came; I didn't run, but I walked very pert.

Q. You didn't see any one fall, then?—A. I did not.

Q. Did you see any of those who were shot afterwards?—A. I did not; I was afraid to look at anybody almost until Monday morning.

Q. When were the colored people who were shot buried?—A. Some of them was buried before anybody seed my face, but I really don't know, that's the fact of it.

Q. Where did you go?—A. I went to my house and secreted myself until Monday, 8 o'clock.

Q. You didn't come out Sunday at all?—A. Come out; no, sir; I only looked through a little crack.

Q. You did not go into the streets?—A. No, sir.

Q. You staid in your house from Saturday afternoon until Monday?—A. I staid in my house from sunset Saturday evening until Monday morning, 8 o'clock; didn't see a soul or anybody's face.

Q. Why did you remain at home so long?—A. It seemed very bilious with me, I thought, from what I learned that evening, and that night, all night long, with the exception of about an hour to day; there were crowds at my house from about half past 8 off and on until about an hour to day.

Q. White men?—A. Some of them, I know, was white men, that I knew by the voice.

Q. Were they armed?—A. I couldn't see whether they were armed or not, but they whispered and talked.

Q. What did they do?—A. They came there to see me, they said.

Q. They called for you, then?—A. They did, and tried to rattle my door down. One of the men that I certainly know by voice I was satisfied; they seemed to have had a particular fancy some way or another to give me some news; they said they had a telegram for me. The man whom I first understood had a telegram for me was one of the ex-policemen; but I was satisfied that he didn't stay round the telegraph office.

Q. Who was he?—A. His name was Dick Lowry, he was called; I, of course, didn't answer; didn't answer anybody. There was two men came with telegrams that night, very special, that I must have; but I didn't want any at that time of the night, particularly from grown men; but one of the telegrams, however, happened to prove right, only just in the hands of the wrong man. There was one telegram sent to me from Reedsville, N. C., from one of my tenants that lives in my house, that was the only one. There were two brought there; but only one shown to have been sent to me from the telegraph office.

Q. When did you receive that?—A. Never received that at all.

Q. Then you do not know there was one?—A. Oh, the man came himself the next morning and told me he sent it.

Q. You do not know the persons at your house had it?—A. No more than they said that the telegram man said to come out to the boy; but the boy happened to be the man's son.

Q. Who was the man?—A. Winn, then a policeman. He says, I suppose that is correct to tell, he tells me the cause of his bringing it when called in question by myself. Shall I speak what he said to me.

Q. No, I don't care for that now. When did you first hear anything

in regard to whether there was to be any violence that day, Saturday; did you hear anything before that?—A. Yes, sir; but I don't say that day.

Q. No, but there was to be violence resorted to?—A. Yes, sir.

Q. When did you first hear it?—A. About the middle of October.

Q. Where?—A. There in the city while I was on duty. I am often called upon and asked by the white men about what I think was going to be the result of the election, and I always talked very frankly about politics. I told them we was going to beat them, and if we didn't beat them it wouldn't be my fault. That is the manner I have always talked right straight out; I thought I was in a free country.

Q. What was said to you?—A. They have told to me from the middle of October up until they got fighting that they were going to beat, and the question with me was how were you to beat. That has been my question from about the middle of October regularly most every week.

Q. Did they say how they were going to beat?—A. Yes, sir.

Q. How?—A. They only said they were going to beat by Smith & Wesson. I can't call them.

Q. Revolver? bull dog?—A. No, sir; they aint any bull dog in this question. Smith & Wesson, double-action, five shooters, and breech-loading shot-guns. I got that the middle of October; that was the first time.

Q. Who did you hear say that?—A. A man by the name of Seward who got shot on that occasion; I believe he is a butcher, or tangled up in the market house there.

Q. White man or colored man?—A. A white man. He is the man who told me they were going to carry this town at all hazards, and I asked the question, "How are you to do it if you aint got the votes?" He said, "We are going to carry it, votes or no votes, with double-barrel shot-guns, breech-loading shot-guns," that was it, "and with Smith & Wesson double-actions," and his next reply was to that, saying to me, "and God damn you, we will get you. I will be damned if you aint bound to go." I was told so by different men.

Q. Different white men?—A. Different white men; that they were going to get me anyhow.

Q. That was before this Saturday?—A. Yes, sir; but I thought it was a kind of bulldozing question, and I didn't think the gentlemen were going to shoot me. I was told by Mr. Cobb at about the latter part of October—I don't know his name properly.

Q. White man?—A. Yes, sir; and he did at that time belong to the Danville Grays; that they were going to carry this election. That was in the street. He said they were going to carry it. I asked him the same question, "How are you to do it?" "Going to have it any how." Now then, my object was to draw out what they intended to do. I used to talk sometimes to the people there—I was kind of a speaker, and when I got anything I told them publicly, you understand. They all gave me to understand that the intention was to have this election if they had to have it at the peril of their lives, and gave the names of the instruments which they intended to use. There was a man by the name of Hatcher, two days before, Ned Hatcher, I think his name is, two days before the election—some folks say the riot; I don't say there was any riot—

Q. Well, then, the shooting.—A. Yes; two days before the shooting; I believe it was on Thursday; I met him at a house called a saloon. He was there when I went there; I went there to get a light, and he said, "Hello, Squire." "Mr. Hatcher, how do you do, sir?" He said,

"What are you all going to do?" I asked him, "What you mean by that?" "Well, what are you going to do in this election?" "Going to beat, that's what we are going to do." Says he, "Yes, and God damn you, we'll beat you last." I took it as running on. I say, "What do you talk, telling about beating me last?" He seemed to have looked unpleasant, and I said to him, "Mr. Hatcher, you is the fourteenth man has made use of such expression as that to me, and I think unwarranted for saying so; tell me what you mean." "I mean, God damn you, that we are going to fix you in spite of hell." "Well," says I, "I aint out of fix, God made me and I am walking about like other men; what do you mean?" "I mean this, there is going to be hell to pay here between now and election, or on the day of election, and damn you, we'll get you certain." That sort of bothered me, because his looks were unpleasant to me. I says to him, "Mr. Hatcher, if that's going to be the thing I rather take chances to be out of this. I thought this was a free country, and if you didn't have shoes you could go bare." He says, "Now, God damn you, I don't want any of your fast talk." I says, "If you are disposed to be insulted about what I say I don't wan't to talk with you." I got out of it as easy I could up to then.

That night or Friday night I had the privilege of talking to the people of Danville; I said to the people of Danville (there was some white folks there, and colored too, there, I suppose two hundred and fifty; I don't know that I have got the number right; the same night Mr. Sims was reported to have made a bad speech), I had the chance to open the argument, and I then did in a speech what I had been doing in all the speeches I made through the whole canvass, advising my race at all hazards to prepare themselves for the ballot, with the ballot to vote, and don't be hauled off the course by anybody; think for yourselves, and if what is called Coalitionist or Republican, or whatever they may choose to call us didn't give good doctrine, don't take it, but I think that we give good doctrine, but if you don't think so, no fuss about it; now go and vote the Democratic ticket; and I principally said these words to the people then that night, that if a colored man goes to the polls and desires to vote a ticket other than this Coalition ticket, let him have it, and don't you, one of you, say one word to him. He must choose for himself. I suppose this fire-side talk has been there for nearly seven months. Now, sir, I further said, "From now until the day of election is passed over this county, and we understand who has been elected, if a white man hit you, just look at him and see who he is, and make that do, and say these words in your own mind, "we suffer it to be so now in order to fulfill all righteousness," for the reason I said it, this is the reason I gave. "That the feeling in this town now shows me this, and warrants me saying it, that all that is wanting in this town to have a difficulty, is for a negro to strike a white man;" and I asked them not to do it; and as to being armed, I particularly asked them not to show such a disposition, nor don't carry them. I believe they heard me. I thought so, certain.

Q. Did you see any colored people armed Saturday?—A. I did not. I was not myself, and didn't see any person else, but they did talk right hard to me.

Q. Did you hear Sims's advice to the colored people?—A. I was standing right behind him, until the pistol was drawn upon him.

Q. What did he advise the colored people to do?—A. He advised the colored people not for a moment to scuffle or fuss with white men; to vote was the thing, and when you have voted you have spoke as much as Colonel Cabell or anybody else. That was his advice on several occa-

sion. Well, he didn't call the colonel's name on every occasion, but that night he did.

Q. You had been somewhat active as a politician, had you not?—A. I was chairman of the First ward of Danville, and been in politics for eighteen years.

Q. Of the political club?—A. Yes, sir.

Q. Did you vote at the election?—A. I did.

Q. Where was your polling place?—A. At the court-house.

Q. Did you see anybody armed there?—A. Well, I like to be correct about it; I did see arms and some persons who I saw with arms had belts on them and some didn't, but they were so numerous I did not take any pains; everybody had arms almost.

Q. The police had muskets, didn't they?—A. Some of them did.

Q. Did you see men with pistols?—A. Oh, yes, they had pistols; you couldn't pick up a man that didn't have one or two; he didn't fear to show them too.

Q. Did you see any colored man with arms?—A. I did not; there wasn't many colored people there either.

Q. Very few colored people came to the polls?—A. Yes; I don't believe there was more than about six or seven voted on that day in the town.

Q. What is the colored vote usually at that precinct?—A. I believe it is about 290. I am not very correct on that. I think in the whole town we had about 1,335 registered colored votes. I think we had about that number.

Q. How many in all voted? Are you able to state?—A. I think it was twenty-five to twenty-eight, not far from that. Myself and Mr. Pleasants voted together, and one man whom I had appointed to hold tickets at that place, but I took no knowledge of any one else that did vote but that man Cousins who was on the stand yesterday; I appointed him to distribute tickets.

Q. Can you name any white man you saw there with pistols?—A. No, sir; I have great difficulty, for this reason, the men who were in the riot, or mob, I call it, on innocent men, that is what I call it, those men, I don't know whether you call them rioters, or what not, they were all in it, they were the men that was guards, and that is why the negroes didn't vote.

Q. Now, do you know anything, in fact, about arms coming into the city prior to this mob, as you call it, on Saturday? Did you see arms anywhere?—A. Now, sir, I cannot—

Q. You had no knowledge of it?—A. No, sir.

Q. Did you notice whether there were more people armed than usual for two or three days before this shooting? White people I mean; did you notice whether they carried arms?—A. No, sir; I can't say.

Q. That is all, then.—A. I would like to be frank in what I say, and cannot say thoroughly that I could say that.

Q. Those you saw the day of the shooting, had they arms then?—A. Just there, sir, at the time of the hollering murder, there was three men who surrounded the parties who was fighting with pistols.

Q. We have got all that; I mean down where you were there. Were there white men down at the corner of the market where you were?—A. Oh, I was standing last; there wasn't but one man.

Q. Did you see any white men there with arms?—A. Not where I was, but over on the other side of the street; those that come out of the opera house, I don't think that I saw either man, or noticed either man with a pistol. At the time it was getting a little critical, and I am one of those men that like to look after squire, and I don't think I could say

that I saw either one of those men come out with a pistol, because I am one satisfied. I do say, though, since that exhibition of the man talking about fixing me—I would like to state that if it is correct——

By the CHAIRMAN :

Q. Is there any other matter in support of premeditation?—A. This was stated to me by the man who spoke at first, telling me that they were intending to do thus and so with me since the shooting, and since he has got over the shot he has told me again.

Q. What is his name?—A. Seward. He said to me that I had acted very smart on the day of the riot. I asked him how did that happen, coming to think a negro was smart. He says, “I mean to say this: You were smart on that day for getting out of the way in time. You made your time in two minutes.” I asked him how. He said, “I was looking at you standing on the corner and I turned my back to you, and while I was fixing you started off in about two minutes’ time, and as soon as I could fix to pick you somebody picked hell in me,” and he was shot right near the side.

Q. That was the butcher that was shot?—A. Yes, sir. There was another incident has happened which makes me more conclusive about its being a premeditated thing.

Q. Any fact? We don’t want any speeches that were made.—A. This is no speech; only what was said to me since about it. The president of the council, now Mr. Blair—Sunday morning before last, I was sweeping out at the place where I am now in business, and he rode down to the post-office, and said to me, “Talliaferro.” “Sir?” “Do you belong to the United States Government?” I told him I was, and thanked God for it. He laughed and said, “There was a fellow here by the name of Batts belonged to it and he got so unpopular he had to leave here; you better look out.” I answered by saying these words: That if I being belong to the United States Government and attend to my own business and not doing nothing to anybody else make me unpopular I shall never leave there until they killed me. They have tried to kill me, I believe. I have never been able to see for what cause. Then he said the trouble in this town was for registering so many young negro boys which he didn’t believe was twenty-one years old, and if all the people in the United States was to tell him they were twenty-one years old he wouldn’t believe it, and I turned and left him with these words: “Well, sir, I never yet heard of God doing anything that the devil said was right,” and passed on. He went one way, and I the other, and there has no more been said about it.

By Mr. VANCE :

Q. Which corner of Main and Market were you on when the fuss began?—A. Sir?

Q. I wish you would listen to my questions and not compel me to repeat them twice.

The CHAIRMAN. Sit closer and just answer the questions.

By Mr. VANCE :

Q. Which corner of Market and Main streets were you on when this all began; the one nearest to the fight or across the street, opposite—Mr. Joplin’s?—A. I was right at Mr. Joplin’s; right on that corner, almost in front of the door.

Q. Then Market street was between you and Woolfolk & Blair’s?—A. Yes, sir; about 5 feet, I suppose, off Market.

Q. Did you get any closer than that corner?—A. I did.

Q. How much closer?—A. I went to the other corner; to Mr. R. P. Jones's.

Q. Did you get any closer than that?—A. I did not.

Q. What stage of the proceeding was it when you got conscious? Had the fist fight been over?—A. They were trying to keep it down.

Q. There you saw a couple of policemen trying to quiet the crowd?—A. Yes, sir.

Q. Who were those policemen?—A. I think Freeman and Adams.

Q. Which Adams was policeman?—A. Bob Adams.

Q. Did you see Mr. Withers?—A. I don't recollect him; he might have been there.

Q. Did you see Mr. Peter Booth?—A. He might have been there. I don't recollect seeing him at all.

Q. Did you see Mr. Joel Oliver?—A. I did, sir. I saw him standing kind off in the back. There was a ring seemed to have been made, and he was on the outside of the ring. I recollect him standing near Mr. Vass's.

Q. Was he doing anything?—A. I never saw him doing anything.

Q. Did you hear him say anything?—A. No, sir.

Q. You saw nobody interfering but these two policemen?—A. No, sir; only what was doing the hollering "stand back;" that was Mr. Lea.

Q. Did you hear any colored people reply to the policemen?—A. I didn't hear it.

Q. Could you hear what the policemen said?—A. I did not.

Q. You were not close enough for that?—A. Well, it was exciting, and things had been a very bad color for me.

Q. Where were you standing when Mr. Hatcher told you?—A. He wasn't talking to me; I just heard the words.

Q. Where was he standing?—A. He seemed to have been standing near at Spring street, I believe it is, or the extension of Market street, at the lower corner next to the shoe store; he was in that direction. I don't say he was exactly on the corner.

Q. The shoe store you speak of is opposite Joplin's, is it not?—A. Yes, sir.

Q. On the lower corner?—A. Yes, sir.

Q. When Hatcher said that, he was in front of the shoe store?—A. Yes, sir; in about—I couldn't be accurate about that. This I could say, I think clearly that he was in front of the shoe store.

Q. Did he have his pistol out then?—A. I didn't see it.

Q. Who was he talking to then?—A. I don't know.

Q. Was he just talking in the air?—A. Just talking, that's all I know.

Q. Was there anybody listening besides you?—A. I couldn't tell that.

Q. You did not see anybody around him?—A. Yes, sir.

Q. Who were they?—A. I don't know, it was so exciting; the only thing that caused me to notice Mr. Hatcher, was by the expression.

Q. How long after that before he commenced shooting?—A. There had been one pistol fired then.

Q. Hatcher then was not up at the fist fight?—A. I don't know whether he was or not; I am talking about when I heard that expression.

Q. Was that before or after the fist fight?—A. After one shot had been fired.

Q. But one shot had been fired as you understood, during the fist fight or about the time it closed?—A. Yes, sir; just at the close of it.

Q. Then how long before the general shooting commenced?—A. I

don't know, because things were getting bilious with me, and I was taking water as hard as I could; I couldn't say how long; I suppose it was between five and eight minutes; I walked very peart; I didn't run, but walked very peart from that corner to the next corner, and when I got to the center of Patton street I heard three or four, and before I got off Patton street it was like a pack of Squibs thrown out in the street.

Q. And you didn't stand on the order of your going, but you went; you say you took care of Squire?—A. I was trying to do that.

Q. Well, you were chairman of the ward committee, were you not, of your party?—A. Yes, sir; I was chairman of the First ward.

Q. And manager of that ward?—A. I was.

Q. A prominent leader among the colored people?—A. Yes, sir; they said so.

Q. That was not very good conduct on the part of a leader, was it?—A. I do think it was.

Q. When the people get into difficulties to leave them?—A. When people do what I ask them not to do, I am free; I advised them not to do it.

Q. Not to do what?—A. Not to do anything to cause white men to fight.

Q. Did not they take your advice?—A. I *did*, sir.

Q. Then you went off and left them because they took your advice; you didn't try to protect any of them?—A. No, sir; I wasn't in the fight, and had nothing to do with it.

Q. You think that is the way a leader ought to do?—A. I do.

Q. Run on the first appearance of danger, and leave them to their fate?—A. Well, if you will allow me to answer the question.

Q. Certainly.—A. I think this, that we, as colored people there, hadn't made any pretext or plan, or in any way to do anything of the kind, to fight, and if we saw other men that wanted to fight us any how, I thought myself, and so advised the colored people, to go and let these bad people do what they wanted to do.

Q. Who did you advise that day to disperse?—A. I didn't advise nobody.

Q. Then you didn't give your people any advice?—A. I had that evening, when trying to talk with them.

Q. What evening?—A. That night.

Q. That was after the fight was over?—A. No, sir; it was before the fight took place.

Q. And in defiance of your advice they huddled up in the street, and refused to leave when the policemen requested them?—A. I reckon they think like I did; they were in the street, just as a black dog and a white dog get fighting, and wherever it happens, anywhere, there will be an excitement drawed around; they didn't come there to fight.

Q. How do you know what they went for?—A. They shot by; as soon as the firing commenced they took away.

Q. Why didn't they leave when the policemen told them to?—A. I look at it just as they did; it was a little funny when he didn't tell both parties to go.

Q. How do you know they didn't tell them to move? Do you know that anybody requested the white folks to move?—A. I do not.

Q. Don't you know that Mr. Lea proposed that the white folks would move if the colored would?—A. No, sir; I don't know it.

Q. Haven't you heard it?—A. I have heard it since I have been here.

Q. You didn't hear the words spoken, so it is hearsay on both sides.—A. I admitted that at first.

Q. So far as you are concerned?—A. So far as I am concerned.

Q. After this first single pistol, and the men had been separated, you told Senator Lapham that you saw a few people coming out of the opera house?—A. Yes, sir.

Q. How far was the opera house below this corner where you stood?—A. I suppose it was about 60 or 65, may be 70 feet. I don't know exactly.

Q. You didn't say if you saw anything at all that day; you did not see the bulk of the people coming out of the opera house until after the firing?—A. I didn't see the bulk of the people coming out of the opera house. I was told by these gentlemen that they didn't want any niggers up there at all, and I told him, "Thank you, sir, I didn't intend to intrude," and walked right down.

Q. How many white people do you think were present when the firing became general?—A. Now you sort of got me on that word general.

Q. You know what I mean?—A. I am going to answer it the best I can. The word general means when it was in its full, as I thought. At that time I was looking out for squire, and wasn't looking to see how many were there. I had my back to them.

Q. Now, when the first pistol fired, at the time the men were separated, how many white people were there?—A. I suppose there were about between twenty or twenty-five; I suppose there were about thirty, and I suppose about thirty or thirty-five colored people; but women and children were there.

Q. How many women and children were there, do you suppose?—A. I couldn't tell.

Q. Did you hear of any women or children getting hurt, except when they were run over by your folks?—A. No, sir. I would have run over a house by there to get out of the way.

Q. I think you would, Talliaferro, you would run over a covered wagon.—A. I would, sir; I think it was my duty to do it; I didn't go there to fight, and was unprepared to fight.

Q. You secreted yourself at home, did you?—A. I did.

Q. How long did you lay in hiding?—A. From Saturday sunset until Monday at 8 o'clock.

Q. Did you get anything to eat in the mean time?—A. I had no thought to eat.

Q. You were too badly scared to eat?—A. No, it was not that, but I had my thoughts about it; to think that men should seek me to take my life.

Q. Did it ever enter your head, Mr. Talliaferro, that when a man was so extraordinarily scarey, people took pleasure in making threats just to see how he would scare?—A. Yes, sir. I wasn't talking what they threatened. If they had got there that night I wouldn't have been in Danville, or anywhere else, long.

Q. And you could not eat if you had anything?—A. I don't think I could.

Q. And you didn't eat anything from Saturday night until Monday morning at 8 o'clock?—A. No, sir.

Q. Have you got over your scare yet?—A. No, sir; no, sir.

Q. Well, you are the worst scared man I have ever seen, and I have seen many.—A. I am scared for something, though, sir.

Q. You are still afraid for your life, are you?—A. Yes, sir; I don't believe I am safe by a long ways, and aint never believed it since.

Q. Who do you think are thirsting for your blood now?—A. Bad men.

Q. Wicked men?—A. Yes, sir.

Q. And you say in your speech you advised the colored people to make no resistance whatever was done. You said, "Suffer it to be so now, in order that you may fulfill all righteousness?"—A. That is just what I intended to convey.

Q. Was that the maxim you were acting upon when you were convicted in the United States court and sent to jail for selling liquor?—

A. No, sir.

Q. You were not fulfilling all righteousness then?—A. I was like myself and other men; technicalities beat men and beat me.

Q. Beat you?—A. Yes, sir.

Q. What was the technicality?—A. I thought I had a right to give away whisky, and the Government said I didn't have the right.

Q. You gave away whisky and sold ground fees, didn't you?—A. I did.

Q. Judge Rives thought that was not fulfilling all righteousness?—A. Of course he did.

Q. But he landed you in jail?—A. Yes, sir.

Q. And upon the strength of that persecution by the Government of the United States they made you ward manager?—A. I had been that before, but not in that ward, but in others, for eighteen years.

Q. What promotion do you expect now in consequence of the good time you made from the riot? The party will do something for you, won't they?—A. What do you mean by good time?

Q. Well, speed.—A. The running; I didn't run, but I walked mighty peart.

Q. Well, you expect some promotion at the hands of your countrymen?—A. No, sir; I thank God I got out with what I have got.

Q. Now, Talliaferro, those men that came to your house Saturday night, do you have any reason to believe they intended you any harm?—A. I did.

Q. What did they say?—A. From what I heard out of their mouths; I suppose it to be out of their mouths, of course I didn't see them with my eyes.

Q. What did they say?—A. They said they intended to kill me; I couldn't live in this town, and I think I had a notice shoved under my door; I put it in the hands of the mayor of the town; that still strengthened my belief.

By the CHAIRMAN:

Q. Have you got that notice?—A. No, sir; I haven't got it; I gave it to the mayor of our town, I think I have got it by heart.

Q. I don't ask for it now because I don't want to interfere with the examination, but I will call for it.

By Mr. VANCE:

Q. You did not recognize the voice of any of them except—A. Two of them.

Q. Mr. Lowry and Mr. Winn?—A. Yes, sir; that is it, Mr. Winn and Mr. Lowry both said they had a telegraph, one was correct and the other was tangled up.

Q. Which one was correct?—A. Mr. Winn.

Q. He did have a telegram, didn't he?—A. Yes, sir; he told me so, and it has been proven to me satisfactorily that he did have it.

Q. But you said about that time you wasn't in need of any telegram?—A. Exactly.

Q. You were running a sort of competition line between the telegrams, were you?—A. No, sir; I was lying down, pretended to be sleep, and didn't want to wake up either.

Q. How was Mr. Lowry's tangled up?—A. His was tangled up, saying he had one.

Q. Don't you know the same telegram was sent there twice to see if you could not be aroused?—A. No, sir; they say not.

Q. Well, they say the other way too, they tell me.—A. Well, I went to the telegraph office and to find out.

Q. Whether the telegram was sent to you twice?—A. Yes, sir.

Q. After a telegram has been given into the hands of the messenger, they don't know at the office whether the messenger had tried twice or not?—A. I saw them all—Mr. Winn and his son and the proprietor.

Q. What kind of a house was it you were in?—A. A frame house.

Q. How many stories?—A. There is three rooms down-stairs and one small one upstairs.

Q. I didn't ask the rooms, but the stories.—A. I don't reckon I could say a story and a half; it is a story and a quarter.

Q. Where were you?—A. I don't like to tell that. I was in that house; those fellows may find me hereafter.

Q. You want to keep your hiding-place a secret.—A. I do, because I think I need to do it.

Q. Well, I will not make you disclose the mysteries of that mansion. How far were you from the men who were talking?—A. The first word I was about as far from them as from here to that door, I suppose.

Q. Well, that is about 12 or 15 feet.—A. Yes; I suppose about 12 feet.

Q. Did they come Sunday night, too?—A. Yes, sir.

Q. Who came Sunday night?—A. I don't know. My God, there was so many I couldn't tell you—on horses and on foot.

Q. Cavalry and infantry.—A. Yes, sir; cavalry.

Q. Did they have guns?—A. I can just tell you what I heard them say, I couldn't look at them.

Q. Well, tell what you heard them say.—A. They said they had them.

Q. They said they had guns?—A. Yes, sir.

Q. You heard them talking?—A. Yes, sir. Of course the neighbors could see them and talk to them, but I didn't.

Q. You cannot swear to any voices that came Sunday night, can you?—A. I cannot.

Q. You don't know whether they were white folks or black?—A. No, sir; I know there was negroes there who saw them and talked with them; I heard the negroes talk with them.

Q. Do you think that they wanted your blood?—A. I most surely do; they said it before, and said it after, and they didn't stop saying it now.

Q. What was to have hindered them from coming into the house and hauling you out?—A. They are like other men, like me; if I haven't got a dead show I don't like to trust myself.

Q. They said that?—A. They said that; when they said it they were within three feet of me.

Q. Don't you know them?—A. They said that he was not any damn fool, and he knows we are after him, and the man that breaks into that house somebody will have to carry him away, and damned if we know what is going to become of us.

Q. Judging from the manner in which you behaved at the fight, had anybody a right to presume that somebody would be carried away if

they broke in on you?—A. I think they presumed it from this point, that I have kept out of the way, and they had given every reason for me to believe that they were after me, and I was going to help myself if I could not do any more.

Q. They looked upon you as a desperado—a man of courage?—A. When I was made to be; and they took it right.

Q. You backed out the whole crowd then, and your reputation for valor stopped the whole crowd?—A. I don't say that.

Q. They were afraid of you?—A. No, sir; I will tell you what they were afraid of; they were afraid of public gaze.

Q. Public vengeance?—A. Yes, sir; public gaze, afraid they would find out who they were, and knew that if they got in there somebody would find out somebody.

Q. Well it was some motive of that sort I suppose that saved your life.—A. I don't believe anything else saved it but that, and it is not safe yet there.

Q. Now you heard these terrible expressions of Mr. Hatcher. Hatcher took two whacks at it, threatening?—A. With me?

Q. Yes.—A. No, sir, he took one.

Q. He says, "We are going to give them hell to-day"?—A. I understood you to ask me this question; I love to answer questions if I know it. I understood you to say that Mr. Hatcher—you asked the question didn't Mr. Hatcher take two whacks at me.

Q. No, whacks at talking with you?—A. I could not say he was talking with me last time.

Q. The first time he said he was going to "give them hell to-day"?—A. No, sir, the first time he said, "We are going to give you hell, God damn you; going to get you."

Q. You have expressly stated he was not talking to you?—A. I said that Hatcher said that in the bar; that is the first time he spoke to me; the next time he spoke out was in the street generally. I don't say he was talking to me.

Q. That was twice, and where was the last time that he said that he was going to get you certain; that wasn't the last time?—A. It was the first time.

Q. Did you hear him use these expressions more than twice?—A. No, I didn't.

Q. What was the name of that gentleman of the Danville Grays?—A. Mr. Cobbs, I think his name is. He had two talks with me.

Q. What did he say?—A. Well, he had three; two before it happened and one since it happened.

Q. About beating your life.—A. Beating me.

Q. Not beating you, but talking about the election?—A. I will tell you all he did say in all the times he spoke to me before the election or after. The first time it was about the 1st of October, or I believe it was about the 18th of October, we got talking in the street about it; he was telling me about the white people, and told me what I thought the white people had concluded to do at all hazards. I asked him the question, that is why most of these questions come up. I put that question first thing, "How are you going to do it," and that's the way he answered by saying, "Why we are going to do it by double-barrel shot-guns and Smith & Wesson's double actions." After saying that I took it as a joke, and on one occasion about a week afterwards was talking about it in a barber shop, and he came in right behind me, but I didn't know he was in there—I don't think I would have said it if I had known he was in there, but he was in there anyhow—and I was talking to a

parcel of colored boys about it, and I says Lit. was just trying to blow—Mr. Cobbs.

Q. Littleton Cobbs?—A. Yes; that is it. I was saying to these colored boys—there was no feeling among none of them—and said Lit. was just trying to blow, and these fellows kept on punching me, making me tell the whole of it; they saw him, and I didn't, and after I told it over again they all broke out in a laugh, and he says, "Squire, I think you are mistaken;" that sort of put me on the trap. Says I, "Mistaken, I don't think I am;" then we went over it again, and he said then, "I don't think you are correct in saying that I said there was compelled to be a riot;" that's what he said, and "I think I told you that I believed speaking from my own judgment," and I asked the question then, "Why could you have raised or mustered such a judgment as that?" "Now," says I, "I may be mistaken in what I have said you said, but I firmly believe I understood it that way. I know I did, as I am alive, though I may have been mistaken, but if I am mistaken it stands very clear with me in my own mind that there was something of that in your mind else you could not have made that expression." "Well," he says, "I don't think I did." That was all; broke off in a laugh, and there was no more said about it between me and him until since the mob, and while I was at work he came out of the office.

Q. That was the day-time?—A. Yes, sir; the last time, too. I don't know whether it will be so, but there is a word for me, they make it, little white boys, young men, and old women, white men, and even the colored done commence it, just got so common they pass me with the word squire, squire, squire; then they say I run; that is a word used all over Danville now; they say that the last barrel was a double-barrel breech-loader, and it was so loud I lit out; now he use these words to me.

Q. What words?—A. "Squire."

Q. And repeated under his breath and then raised it a little?—A. Yes; just elevated, like I did. I looked at him and laughed. There was three other white men with him. Says he, "Squire, how do you think it turned out?" I answered him by saying, "It turned out precisely as you say before it come. You told me before it happened that it was going to come with double-barreled shot-guns and pistols, and it certainly did." Says he, "Squire, I think you are mistaken." Says I, "Oh, no; don't say I am mistaken. I told you about it before and I must say you were the prophet or the son of a prophet," or something of that kind. He laughed and said, "I only gave you my opinion on the subject." All that remarks made me believe that this was a premeditated mob from beginning to end. That is my thought.

Q. What was it you heard Mr. Seward say (the man that got shot) about the middle of October?—A. Me and a colored man was talking about preparing for registration, because his transfer was at Lynchburg and he was inquiring of me what was the proper way to get it legal, and Mr. Seward interfered and got to talking and said that there was no use of talking about any transfer; "Damn it, we are going to beat you any how," and then this same question of mine, which I had made a byword all the time, "How are you going to do it?" Then he answered and said he was going to do it with double-barrel shot-guns and "Damn you, speak to me; I aint got no use for you now."

Q. Did he say Smith & Wesson and double-barrel breech-loaders?—A. Yes; I think he did; yes, sir.

Q. In other words, he intimated they were going to do all they could in the way of weapons and you would be sure to be gotten. Is Mr.

Seward a prominent leader among the Democrats?—A. I declare I don't know how to answer that. I will tell you what; I don't think so; I think he is a Democrat.

Q. But not considered a leader?—A. No, sir; not by a long ways. There aint anybody considered there leaders but gangs; you know nobody must lead but the gangs; and we are the gangs——

Q. Is Mr. Hatcher a leader?—A. I don't know; it will be like it was before the war, "the rich man's war and poor man's fight."

Q. Is Mr. Littleton Cobbs considered a leader among the Democrats?—A. I don't know; I don't think so myself; I don't know, he may be, I don't know what he is, can't say.

Q. What was it you heard Mr. Blair say? You told Senator Lapham after he were done examining you, you wanted to tell a little more in support of premeditation?—A. Yes, sir.

Q. And then you gave a conversation with Mr. Blair, what was that, and when?—A. Sunday morning before this last.

Q. Since the riot; a week ago?—A. Yes, sir; he asked did I belong to the United States Government, and I told him I did and thanked God for it, too; and he laughed and said that there was a man by the name of Batts belonged to the United States Government and had got so unpopular he had to run away from Danville. I thought then he was going to throw a rock at me and I hushed, I only said this to him, that, "if my belonging to the United States Government, and attending to my business, and not treating any man wrong makes me unpopular, I am going to stay he re until I am killed, for you have been trying to kill me it appears for about two months, but for what I don't know." He answered and said, "I do know," and then I asked him "why," he said, "because you are registering too many negro boys said to be twenty-one years old, which they aint. If all the people in the United States were to say to me that they were twenty-one years old I would not believe them." I turned my back on him and said, "Well, sir, I didn't know God ever to do anything right and the devil believed it," and I went one way and him the other; that was all of that.

Q. You were on the Lord's side?—A. Oh, yes; of course, I am on the Lord's side any how.

Q. Well, sir, I have often heard that the weak things of this life were selected to confound the mighty. That was all the remarks; you went right on?—A. Yes, sir; I went in the house and he went down street.

Q. You thought they wanted to kill you because you had registered too many colored boys?—A. He said——

Q. I say he said he——A. He didn't think; he said he knew.

Q. Well, Blair is a prominent man, isn't he?—A. I reckon he is. I reckon he is chairman of the Democratic party in Danville, or a portion of it.

Q. Chairman of the council?—A. He was chairman of the council then and is now.

Q. Of the city council?—A. Yes, sir.

Q. Did you see Mr. Holland that day—Walter Holland, the young man that was shot?—A. No, sir; the folks say I was running, but I wasn't, I tell you.

Q. You were walking brisk?—A. Yes, right brisk, too.

Q. Well, you did not see him?—A. No, sir; I heard one shot; didn't know which way that went; didn't want to, neither.

Q. I just want to ask you one question, just for curiosity. Are you really proud of your cowardice?—A. Yes, I am proud of it; and I am ashamed, too, in another sense, that I have to act the coward for men trying to kill me without a proper cause.

By Mr. LAPHAM:

Q. Did you ever have any difficulty with any of these white people?—

A. I have not, sir; I have been living in the town of Danville near about ten years; I was on the sanitary force for about nine months.

Q. Well, you have answered the question; you have never had any personal difficulty?—A. If I have I don't know it; I have forgotten it certain.

Q. Do you know any of the people who surrounded your house there Saturday or Sunday night?—A. I don't know but two men and I know them by their voices.

Q. Who were they?—A. Mr. Lowry and Mr. Winn.

Q. You recognized these two by their voices?—A. Yes, sir.

Q. When was the notice put under your door?—A. It was put under there, I believe, on the second Sunday in November; I believe it was the second Saturday night in November.

Q. They came then to your house after election?—A. Yes, sir; but then ever since this investigation has been going on they have been there.

Q. They have?—A. Certainly; they aint stopped; they aint joking.

Q. What did you do with that notice?—A. I gave it to the mayor of the city. I think I could very near repeat it.

Q. State what it was.—A. The back of it said, "This is to Squire Talliaferro."

Q. It was indorsed in that way, you mean?—A. Yes, sir; written on the back.

By Mr. VANCE:

Q. Was there any name inside of it?—A. Yes sir.

Q. Whose name?—A. Mine.

Q. Was there any name of the writer?—A. No, sir.

Mr. VANCE. I submit that an anonymous letter, no name to it, is not proper evidence, and it is not even produced.

The CHAIRMAN. I suppose the writing itself would be better evidence, but it not being here, being absent in Danville, the witness can state what it was.

Mr. VANCE. I withdraw the objection.

By the CHAIRMAN:

Q. You state the back of it was this: "To Squire Talliaferro"?—A. That was shoved under my door. Inside of it the contents said, "Squire Talliaferro, you are considered as one of the leaders or instigators of the late riot of Danville; as such you are responsible for the blood spilled therein. We have determined that your stay in Danville is injurious to the public peace; therefore you must go. You are given three days to prepare; if, after the three days, you are found in Danville you must take the consequences." That's in about almost the exact language.

Q. Any name?—A. No, sir. Signed "Official;" that's the way it was marked.

Q. Any marks or designation on it?—A. No, sir; it was fixed so nobody couldn't tell.

By Mr. LAPHAM:

Q. Do you know whose handwriting it was?—A. No, sir; I don't believe anybody in the world could tell.

Q. Was it a disguised hand?—A. Yes, sir.

Q. Did not appear natural?—A. Oh, no, sir.

Q. Was it known before that notice was put under your door that you were coming here as a witness?—A. No, sir.

Q. Not that you know of; it was before you had been subpoenaed?—A. Oh, yes.

Mr. VANCE. Let him state the time.

The WITNESS. I think it was the third Saturday in November; the second or third. I am not clear on that point, whether it was the first Saturday after the mob or the second Saturday; but it was in that month.

By Mr. LAPHAM:

Q. Was your house surrounded the night the notice was put under your door?—A. Yes, sir, and I was in my office, the room where I sleep at.

Q. Could you judge how many people were there?—A. Some of the tenants told me there was nine; I didn't see them.

Q. Are you a property holder?—A. No, sir.

Q. You speak of tenants?—A. Oh, I rent a large building and it's more than I have any use for.

Q. And you sublet it?—A. Yes, sir.

By Mr. VANCE:

Q. This man Winn that you speak of coming to your house with a telegram was a member of your own party?—A. The council didn't say.

Q. He was put on the police?—A. Oh, yes, we put Democrats on most any time.

Q. Was he a Democrat or Coalitionist?—A. He was a Democrat; I don't know what he is.

Q. Who did he vote for at the last municipal election?—A. I don't know. Do you mean for mayor?

Q. All the municipal officers that were elected?—A. I don't know; it is impossible for me to know.

ISAAC C. COLEMAN sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In the town of Danville, Va.

Q. How long have you lived there?—A. I have lived in Danville twelve years; this is the thirteenth year.

Q. Where were you on the day of this shooting?—A. I lived at Mr. Jones's drug store.

Q. Were you at that time employed there as porter?—A. Yes, sir; and am now.

Q. What did you hear, if anything, before the shooting by way of conversation on that subject?—A. I will have to ask you a question before I answer that. Do you mean at the time of this shooting?

Q. Before the shooting began; any time that day?—A. Any time that day?

Q. Yes.—A. Well, I live in a store, and you know persons coming in the store say a great many things that I cannot catch, cannot get it all. I hear some words passed but cannot get it all, and do not know that I can make a clear statement, and don't really recall but one conversation that occurred in the store that day that I could tell you anything from that conversation. Shall I state that?

Q. Yes.—A. That was Dr. Robinson that was in the store, and he and Mr. Mercer, a young gentleman who I wait on, lived in the store, an employé, one of the clerks of the store. The proprietor of the store was away from home at that time. The conversation between him and Mr. Mercer was in a joking way; I thought it was. Of course I was busy at the time. Dr. Robinson said something to Mr. Mercer, but what Dr. Robinson said to him I will not state that, because I didn't catch that; didn't understand it; but Mr. Mercer laughed and said, "I will see about Colonel Sims after you, doctor. You had better mind, sir," and Dr. Robinson laughed and said, "I am a peaceful man," and that is what Dr. Robinson said. He said, "I go to keep the peace," and in talking the other words between that I didn't know what occurred, but he had a gun in his hand.

By Mr. VANCE:

Q. Who did?—A. Dr. Robinson.

By Mr. LAPHAM:

Q. A double-barreled gun?—A. He had taken the gun out (it was a new gun, and I thought it was a very fine gun); he had taken it out of its cloth case and he was speaking of the gun. I don't know what he was saying; I am not much of a hunter, but he turned the gun down and looked in the barrel through the breech; it was a breech-loader, but there was not but one barrel loaded. He loaded the gun and went away from the store.

Q. Loaded each barrel?—A. Loaded the barrel that was not loaded. One barrel was loaded and the other not. He loaded it and went out of the store.

Q. Carrying the gun with him?—A. Yes, sir.

Q. How long was this before the firing?—A. That was early in the morning; I suppose between 9 and 10 o'clock.

Q. Where were you at the time of the firing?—A. I was in the store.

Q. Did you hear anybody ask the question, "Are you ready?"—A. I didn't.

Q. Didn't hear any such inquiry as that?—A. I could not say positively that I did; I was inside of the door.

Q. Did you hear anything on the subject just before the firing?—A. No, sir; I didn't.

Q. Did you hear anybody say, "Loaded and ready"?—A. I couldn't say positively that I did.

Q. What is your best recollection?—A. I don't think I did.

Q. Did you hear Mercer say anything when the first pistol was fired?—A. Yes, sir; in the store. We were all in the store. I will have to go back a little.

Q. No, you need not go back at all. If you heard him say anything when the first pistol was fired, state what it was.—A. He says, "Well, it has commenced, and I don't know where it will end." That was the remark of Mr. Mercer, the young gentleman that lives in the store that I do.

Q. How many guns were there in the store?—A. There were no arms in that store at all.

Q. You stated one was there?—A. I said that this gentleman, Dr. Robinson, had a gun there in the morning.

Q. Did he bring it there?—A. Yes, sir; he brought it there with him and carried it away. That was my statement.

Q. You didn't see any gun in Jones's drug store but the one he had?—

A. No, sir; there was not any arms in that store at all, to my knowledge.

Q. Do you mean to say you didn't hear anybody say, "Ready and loaded"?—A. No, sir; I didn't hear any one say that.

Q. Well, anything like that?—A. I can refresh my memory that I did.

Q. Well, at any time before the firing, did you hear that?—A. I don't think I did.

Q. Do you mean to say you didn't hear any conversation in that store about this subject before the firing took place?—A. Only the conversation in the morning between Dr. Robinson and Mr. Mercer. There seemed to be a great deal of excitement that morning.

Q. Where?—A. Throughout the town. Persons coming in talking. I being a porter in the store—you understand how people have to discharge their duty and attend to their business—I could not hear what was said.

Q. An unusual number of people coming in there?—A. No, sir; not an unusual number.

Q. But seemed to be excited?—A. Seemed to be very much excited; stirred up.

Q. And although talking a good deal you could not hear what was said?—A. I could not, because I was passing from place to place, to attend to my business.

Q. You are still employed in Mr Jones's drug store?—A. Yes, sir; I am still there.

By Mr. VANCE:

Q. You have been twelve years in Danville, have you?—A. Yes, sir.

Q. Where did you come from when you came there?—A. I was raised in that county.

Q. What is the general disposition of the white people, if you know it, toward the colored people outside of political excitement; is it friendly or unfriendly?—A. In some respects they are friendly. I will answer your question in this way: With myself, I have some very intimate friends in Danville myself, while there are some persons that I feel are my particular friends, outside of political ideas.

Q. Well, outside of political excitement now, such a time as they had before, I asked you if the general demeanor of the whites and blacks is not friendly towards each other; cordial?—A. I think so, sir.

Q. Has there ever been any trouble there that you know of caused by the white people trying to keep the colored people from voting as they saw proper before this time?—A. Only by talk.

Q. Just talk?—A. By talk; yes, sir.

Q. Did you vote on the day of election?—A. No, sir; I didn't.

Q. Are you a Republican?—A. Yes, sir.

Q. Why didn't you vote?—A. I didn't see that my vote would amount to anything, and upon that ground I didn't care to vote.

Q. You were not afraid of interruption if you had gone up to vote, were you?—A. No, sir; for this reason: I always feel I am not afraid to do anything that I really want to do that I believe is right.

Q. Why would not your vote amount to anything?—A. Because my people were not voting. I went by the polls and I saw no colored people at the polls, and I was discouraged and cowed upon that ground, and would not vote.

Q. If your vote had been necessary for your party, you would have gone and voted?—A. I prize it as a high privilege that I hold. I don't prize nothing higher than that, in that sense; the right of suffrage.

Q. How long have you lived with these gentlemen at the drug-store?—A. Mr. Mercer and all, I have lived with them two years in March.

Q. How long, I mean, have you lived with Jones, the proprietor of the drug store?—A. Ever since I have lived in Danville.

Q. Twelve years?—A. Yes, sir.

Q. Did he ever make use of any improper means to try to get you to vote different from your principles?—A. He did not, and I will answer you why. That is one privilege I never let any one advise me. I always thought I had a privilege to act as I pleased, and if any, white or colored, asked me which way I was going to vote I told them it was none of his business; and I used that privilege because I thought I had a right to.

Q. He didn't try to force you any way; threaten to discharge you, or anything?—A. Not to me he didn't; not to my knowledge.

Q. If he did you never heard it?—A. No, sir; only one thing was stated to me: On one occasion he asked me if I had been attending public meetings—speakings; and he says, "Isaac, I would advise you to look out for yourself. You had better not attend these meetings, because the people are mightily excited over these meetings."

Q. Was that lately?—A. No, sir; that was before this.

Q. I mean just before the riot?—A. Yes, sir; before the riot; during that campaign; during these speakings going around.

Q. He told you the people were very much excited?—A. Very much excited.

Q. And you say on Saturday morning you heard people coming into the store, that they were very much excited; that is true, is it?—A. That is not my statement, but that is the fact of it——

Q. What was your statement?—A. I say the people seemed to be very much excited and all that; I could see by the speaking in the store; what they said I could not understand, because I was going about from place to place and could not remember what was said.

Q. That was what I asked in substance, whether the people didn't seem to be very much excited?—A. Yes, sir; seemed to be much excitement about that time.

Q. Do you know that Mr. Robinson is a sportsman, a man who shoots birds, hunts?—A. I know he is a physician, a practicing physician; has a large practice. He is a city physician; has a large practice both in the country and the city.

Q. I didn't ask you one word about that; I asked if you knew he was a sportsman, and fond of hunting?—A. I don't know.

Q. You don't know that?—A. I do not.

Q. Did he say anything that morning about what he was going to do with his gun?—A. I only know what I stated.

Q. Who did Mercer address those remarks to, "that it has begun now and I cannot tell where it is going to end"?—A. He said that to the people when they commenced running in the store.

Q. To what people?—A. The colored people.

Q. Did they come in there, many of them?—A. A good many came in the store.

Q. Were any of them refused shelter?—A. No, sir; we didn't drive them out; I tried myself as well as I could to reserve the store because the proprietor of the store was not there, and when he goes away generally calls my attention to the care to look after things while he is away. I did that in justice to myself while he was away.

Q. Who of the clerks was in there; was Mr. Mercer in there?—A. Of course he was in there.

Q. He said that to the colored people who came flocking in there that “the thing had begun and nobody could tell where it was going to end”?—A. That was not what I said.

Q. That was the substance of what you said?—A. I said that Mr. Mercer said “There it is begun and I don’t know where it will stop.”

Q. Is that not what I said?—A. Yes, but not exactly in those words.

Q. Well, you can have it in your own language?—A. I want it as I said.

Q. Precisely. And was any other clerk there?—A. Yes, sir.

Q. What was his name?—A. His name is John L. Hagan.

Q. Did he hear the same remark?—A. I suppose he did; I never heard him say whether he did or not.

Q. He was one individual, and could have heard, it I suppose?—A.

A. He was in the store; yes, sir.

By Mr. LAPHAM:

Q. Is your employer a Democrat?—A. Yes, sir.

Q. You have worked for him, you say, twelve years?—A. Yes, sir.

Q. And are still at work for him?—A. Yes, sir.

Q. When was it he warned you about being careful?—A. About as well as I remember it was about two weeks prior to this shooting.

Q. Did he seem earnest about it?—A. Yes, sir; I thought he was.

Q. Give his words as near as you can?—A. Give me time; I want to place myself right.

Q. I say give his words.—A. I say give me time to use them. As well as I remember on one occasion some gentlemen spoke at the opera house the night before this conversation, before he advised me.

Q. I don’t care about that.—A. I have to do that to give it.

Q. No, you don’t have to do that at all; come right to what he said to you.—A. He asked me, “Have you been attending these meetings?” I say, “No, sir; Mr. Jones, I am no politician whatever.” He says, “Well, Isaac, I will tell you, give you my advice, that you better not go to these meetings, and you better look out.” Now, whether he said my meat or bread, or for myself, I will not be positive about that word.

Q. It was either for yourself or for your meat or bread?—A. It was either one or the other of them words; and I say, “Mr. Jones, I am not no politician.”

Q. You played off on politics at that time?—A. Sir?

Q. You denied being a politician?—A. Yes; in this way.

Q. And now you say you are very much attached to your right to vote.—A. Yes, sir.

Q. And you would not yield that to anybody?—A. That is what I want to tell you, why I deny. I mean this, I took no active part in politics except my right to vote.

Q. Had you told him that before this?—A. Yes, sir; when I first went to live with him I told him my politics, and I could not deny it on any ground.

Q. He knew, then, what your politics were?—A. Yes, sir; he knew my politics.

Q. Didn’t he say anything about your keeping out of the streets at the time you had this conversation with him?—A. Only at night, at these speakings; told me I had better not attend these speakings, that was all.

Q. Now, I want to repeat again a question I first asked you, I limited

it before to the day of this shooting. I want to know whether at any time before the day of that shooting you heard any conversation there in the store about being "ready"?—A. I might, and I might not; I cannot say positively.

Q. What is your best recollection?—A. I did hear a conversation something to the amount of that.

Q. Now, give it as near as you can.—A. I have to bring a question to bear before I can give exactly what that word is.

Q. State it as near as you can recollect.

The CHAIRMAN. Just state in answer to the question what was said; and what you said, and what was said to you in your presence.

A. It was by a gentleman in the store coming up on the train speaking of a man being shot at South Boston on one occasion interrupting a speaker.

By Mr. VANCE:

Q. Let us have the name.

By Mr. LAPHAM:

Q. We have not asked for all that. We want what was said there in the store as near as you remember. No matter who the gentleman was nor where he came from.—A. I am trying to say, just from the parties who were talking.

Q. Give what was said in the store as near as you can state it. How long was it before this shooting?—A. That was about two or three weeks.

Q. That is the time I refer to, state what was said, as near as you remember it.—A. The remark was made by Dr. Temple, it was, "I have been always very fond of them, but when they don't behave themselves I am in favor shooting of them down like dogs."

By Mr. VANCE:

Q. Have you given the name of the man who said that?—A. I said that the gentleman who first started the conversation; I cannot remember his name, but that was the remark as well as my memory serves me was made by Dr. Temple.

By Mr. LAPHAM:

Q. What did the gentleman say to Dr. Temple that led to that remark?

By the CHAIRMAN:

Q. Just repeat that remark again.—A. The remark was this, "I have always been very fond of them"—"the negroes," I think he said, I won't be positive whether he said "the negroes" or "them"—he says, "I have always been very fond of them and always been willing to treat them right, but when they interfere I don't think it is wrong to shoot them down like dogs." That is my best recollection of that, as you draw it out of me on oath, and I think that is the way it was.

By Mr. LAPHAM:

Q. I have had to draw it out, but I have got it.—A. That is my best recollection.

By Mr. VANCE:

Q. In your first examination you refused three times to say anything.

Mr. LAPHAM. Oh, I confined him to the day of the shooting.

Mr. VANCE. I think you took him every way.

The WITNESS. I can refresh my memory, governor, and when I re-

member these things I am compelled to state to the best of my judgment as I remember them. You know anything happening in this way men forget things and by refreshing your memory it comes to you.

By Mr. VANCE:

Q. Now, you stated before that you could not refresh your memory, and that you were not certain and could not be positive of anything. Are you positive of this now?—A. I think, I am; that is my recollection.

A. Now, don't you think you could think of a little more if you were crowded? Could not you refresh yourself some more?—A. I don't know; I don't know of anything just now bearing upon this topic.

Q. Don't know of anything more? Well, Dr. Temple said to this man that he was "very fond of the negroes or colored people, and was in favor of treating them right, but if they interfered———A. When they interfered.

Q. But when they interfered he was in favor of shooting them down like dogs?—A. He thought it would be right.

Q. He thought it would be right?—A. Yes.

Q. Well, did he say interfere in what?—A. That was why I wanted to go back and bring it up, but the judge told me it was not necessary. Shall I go back there now?

The CHAIRMAN. Just answer the Senator's questions.

A. That was drawn out from a man.

By Mr. VANCE:

Q. Wait, witness; I do not propose to have the witness tell me what you refuse to allow him to tell Mr. Sherman, unless I see proper.

The CHAIRMAN. I think it is perfectly proper for Judge Lapham to require a distinct answer to his question, but you have a right, and the same right, to any question you put showing this matter. The witness is disposed to make a long story of it

Mr. LAPHAM. My object was to save time.

Mr. VANCE. That is all I want to ask the witness.

SAMUEL F. EARLY sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In North Danville.

Q. How long have you lived there?—A. Five years.

Q. Where did you live before going there?—A. I was born and raised in Lynchburg.

Q. You are a Virginian by birth, then?—A. Yes, sir.

Q. Were you a slave?—A. I was.

Q. Have you a family?—A. I have no family, but have four children; I have no wife.

Q. You have lost your wife?—A. Yes, sir.

Q. Are you a housekeeper?—A. No, sir.

Q. You board?—A. Yes, sir.

Q. What is your business?—A. My business is working in the factory.

Q. Tobacco factory?—A. Yes, sir; rolling.

Q. Now, will you tell the committee what you heard, if anything, about the meditated violence or disturbance at the time this shooting took place; whether before that you heard anything on the subject?—

A. Do you refer to what I know occurred before the shooting?

Q. Yes.—A. Well, I don't know; I couldn't swear to anything that occurred before the shooting; but, of course, I could since.

Q. I will come to that presently. You don't remember anything you heard any one say about it before the shooting?—A. I heard numerous things said, of course, but then I cannot recollect them all.

Q. By white people?—A. Yes, sir.

Q. By Democrats?—A. I reckon them all Democrats.

Q. Now, if you remember what you heard any particular one say you may state it.—A. Well, I have not heard any one say anything to my recollection before the election that was detrimental.

Q. Do you know anything in regard to the loss of employment by colored people before the day of this shooting?—A. The loss of employment?

Q. Yes.—A. No, sir; I do not; I was employed myself by the corporation in North Danville, but I didn't lose my employment there until after.

Q. Who was your chief?—A. Do you mean chief of the police, or chief of the town?

Q. You work on the corporation; who directed you in your work?—A. Mr. Ball was chief of the police then.

Q. Do you know anything about the distribution of arms on the day of election?—A. Yes, sir; I saw arms distributed on the day of election.

Q. Where?—A. At Mr. Taylor's shop.

Q. Where is that?—A. That is on Main street, in North Danville, situated on Main street on the left, about one square from the railroad, one block.

Q. What kind of arms?—A. They were pistols.

Q. What time in the day?—A. I think it was between 8 and 9 o'clock in the day.

Q. Early in the day then?—A. Yes, sir.

Q. How many?—A. Well, I couldn't state how many, but I saw two boxes of arms.

Q. Two boxes of pistols?—A. Yes, sir; two boxes of pistols.

Q. Were they distributed among the white people?—A. Yes, sir.

Q. Did you hear anything said about it while they were doing it?—A. I did not. At the time that I went in there there was such a crowd in there; of course I went in on business.

Q. Crowd of whom?—A. White people; all white people in there; there was not any colored.

Q. Go on and say what you were going to. You went in on some business?—A. I went in there to get some nails to nail up a box for a man there, and when I went in the house was crowded with white people, and there was two boxes of pistols sitting on the counter open, but how many there was I couldn't say.

Q. You can tell something about it, judging from the size of the boxes.—A. I reckon the box, to the best of my judgment, doing justice to myself and to the one that had the pistols, about I would say that the box in length was 18 or 24 inches.

Q. About how many pistols would each box hold?—A. Now, the pistols that was taken out of the box, of course they was in boxes by themselves, seemed to be paper boxes, but of course they was cased up in a wooden box, and the wooden box was the same length that I referred to.

Q. Did you see them loading them?—A. No, sir; I didn't see them loading them, because I didn't stay long enough.

Q. Nor didn't see whether they were loaded?—A. No, sir.

Q. Did you see any cartridges there?—A. I saw plenty of cartridges in the show-case.

Q. In the same store?—A. Yes, sir; I saw plenty in the show-case.

Q. Where did the people go who took these pistols?—A. I came out and left them all in there. They were distributing them in there to the crowd, and I came out because I could not get to the counter myself.

Q. You could not get your nails?—A. No, sir; I didn't get anything.

Q. Do you know when these boxes came there?—A. The boxes had just come that morning.

Q. From the railroad?—A. Yes, sir.

Q. You worked on the corporation you say at that time?—A. Yes, sir; I was janitor for the corporation at that time.

Q. Didn't any one caution you about keeping off the streets?—A. Caution me about keeping off the streets?

Q. Night or day time, yes; or about that time?—A. Yes, sir; some one did caution me about keeping off the street.

Q. Who was that?—A. He was a white man.

Q. A Democrat?—A. Yes, sir.

Q. How long before this shooting?—A. It was about two or three days.

Q. What did he say?

Mr. VANCE. Let us have his name.

Mr. LAPHAM. I will get that in time.

Mr. VANCE. Let us get it in the start. It will be too late for me to object if he fails to give the name now. If he is a white man and a Democrat he ought to know the name.

By Mr. LAPHAM:

Q. Who was it?—A. There is a man worked on the railroad named William Jones, a friend of mine.

Q. What did he say?—A. He said if I was not careful I would be hung on the night of the riot.

Q. What more?—A. I asked him to tell me who it was that made these threats and said they would hang me, and he said he had sent me word to be careful, and he thought that would be sufficient.

Q. He declined to give you the names?—A. Of course he did.

Q. Did you vote?—A. I did not.

Q. Had you registered?—A. I had.

Q. Why did not you vote?—A. I was afeard to vote.

By Mr. VANCE:

Q. When was it Jones told you you might be hung?—A. It was a few days before the riot.

Q. Where was it he told you?—A. I was in North Danville.

Q. Jones was a friend of yours you say?—A. Yes, sir; he is a friend of mine.

Q. What did he say to you? Give us his very language.—A. He told me I ought to be careful; that there was a party fixing to hang me.

Q. A party fixing to hang you?—A. Yes, sir.

Q. What for?—A. Well, he didn't say what for.

Q. You wanted to know why people were going to hang you, didn't you?—A. Sir?

Q. You heard my question.—A. I didn't understand you.

Q. Oh, yes, you did.—A. Oh, well, then, if you dispute what I say, I tell you I didn't understand you. I hear a heap of things.

Q. You know what I said.—A. No, sir.

Q. Do you swear you didn't hear my question?—A. Yes, sir.

Q. Well, swear, then, that you didn't hear my question.—A. I didn't understand the question; I heard it.

Q. Did he tell you why people were going to hang you?—A. He did not.

Q. Did you ask him why people were going to hang you?—A. Yes, sir.

Q. What did he say then?—A. Because I was chairman of the committee.

Q. Because you were chairman of the committee?—A. Yes, sir.

Q. That is what they were going to hang you for?—A. Yes, sir.

Q. Were they going to select you out or hang all the chairmen?—A. That was reported; that they was going to hang them all.

Q. When were they going to hang them?—A. Whenever they got them.

Q. Were they running and hard to catch?—A. I don't know whether they was hard to catch; some of them had run; most of them had left Danville.

Q. Most of them had left before election?—A. No, sir; since election.

Q. Could not they have caught them before that?—A. I reckon they could if they had tried.

Q. Did anybody try to catch you?—A. Not that I know of; whether anybody tried to catch me or not they could have done it.

Q. They could have done it if they had wanted to?—A. Yes, sir.

Q. You were on the streets every day, were you not?—A. No, sir; not every day.

Q. You were on the streets frequently?—A. I was.

Q. You were at work for the corporation?—A. I was janitor for the corporation.

Q. What building were you janitor of?—A. It is called the Town Hall.

Q. Who was your superior officer?—A. Mr. Ball was the chief of police.

Q. Who?—A. Ball is the chief of police.

Q. You were janitor of the building?—A. Yes, sir.

Q. Were you not at your place of business every day?—A. They don't use it every day.

Q. Well, every day they did use it you were at your place of business?—A. Yes, sir.

Q. If anybody wanted to catch you he knew where to find you?—A. Yes, sir.

Q. Did you believe that; that somebody was going to hang you?—A. Did I believe it; well, so far as my belief was concerned in the matter I really didn't know what to believe about it.

Q. Did it scare you?—A. Well, I couldn't say it scared me either.

Q. Did you make any complaint to anybody and ask protection?—A. I did not.

Q. What family did you say you had?—A. I say I had four children; I had no wife.

Q. You said when you started out, I understood you, that you could not swear to anything that occurred before the shooting; didn't you say that?—A. That I could not swear to anything that occurred before the shooting?

Q. Yes.—A. I did.

Q. But you did swear that, notwithstanding Jones told you this

before the shooting?—A. Well, the occurrence of anything and information are two different things, I reckon. He referred to anything that had transpired, action or anything. This was only a message to me.

Q. What was the last remark?—A. I said this was only a message Mr. Jones gave to me.

Q. You made the difference between the occurrence of anything, and the information of it?—A. Yes, I do.

Q. You told Mr. Lapham that you could not swear to anything of conversation that took place before the shooting?—A. I didn't say conversation.

Q. He asked you if any threats, or conversation had been made, &c.?—A. I didn't so understand him.

Q. Well, it is down whatever you said, whether you are right or I am. Where did you say these arms were distributed on the day of election?—

A. At Mr. Travers's store,

Q. What kind of a store is that?—A. Hardware and other things.

Q. Did he keep guns and pistols for sale?—A. Yes, sir; I reckon he had; I never noticed that before that day. I reckon he has the right as a tax-payer.

Q. I asked you for the fact if he did keep weapons for sale, not about his rights.—A. Of course he keeps weapons for sale, but then I said I didn't notice it, not until that day.

Q. There might have been sold a great many there that you did not know anything about?—A. Of course; I don't pretend to charge him for that.

Q. Who were these men there getting arms; can you name any of them?—A. I don't think I can name any particular man there, that was there getting arms.

Q. They were white men though, were they?—A. Yes, sir.

Q. Were they Democrats?—A. I don't know whether they were Democrats or not.

Q. You have got some white Coalitionists about there, have you not?—A. Not in North Danville, to my knowing.

Q. No white Coalitionists there at all?—A. Not that I know of. I have been the chairman of the meeting there; they never visited the meeting.

Q. Are there any white Coalitionists in Danville?—A. Yes, sir.

Q. Well, they could have gone over there and bought weapons if they wanted to, couldn't they?—A. Of course they could.

Q. You don't know who this crowd was, whether they were Democrats, or who, that were buying these pistols; you cannot name them?—A. Well, I know all the people aint Democrats.

Q. You saw none loaded, you say?—A. I did not.

Q. You don't know whether or not the men went off with pistols out of the store?—A. I know that some came out as I went in, with pistols in their hands.

Q. Which way did they go?—A. Towards the polls.

Q. Did you go by the polls that day?—A. I did.

Q. Were there any white men there at the polls with arms, appointed by the mayor to keep the peace?—A. There were.

Q. Were these some of the men who had been in that store to get arms?—A. No, sir.

Q. Do you know all the men who were appointed to keep the peace that day?—A. I know all of their faces, but don't know all their names.

Q. But you swear that none of these men were in that crowd that you saw at Travers's?—A. Not that I know of.

Q. You say the boxes of pistols had just come there that morning?—A. Yes, sir.

Q. How did you know that?—A. I saw them. One of the boxes came, as Mr. Travers had it under his arm coming from the train; but I didn't know it was pistols though when I saw it.

Q. How did you know it was pistols afterwards?—A. Because I went in the store and saw it opened.

Q. You saw him take it from under his arm and open it?—A. I did not see him take it from under his arm.

Q. How long was it after he came from the depot before you went in?—I reckon at least ten minutes, or more.

Q. You saw him open the box?—A. Yes, sir.

Q. The same box?—A. I didn't see him opening the box; I will take that back; I didn't see him open it; I saw him carrying the box to the store, but didn't see him open it.

Q. What kind of a box was it?—A. Do you mean the shape, or length, or what?

Q. What was it made out of?—A. Wood.

Q. How big was it?—A. I told you it was between 20 and 24 inches long.

Q. How thick?—A. I suppose it was from 8 to 12 inches.

Q. How wide?—A. It might be 12 or 14 inches wide.

Q. And that was full of pistols when you saw it?—A. Yes, sir.

Q. What sort of pistols were they; what size?—A. They were large size.

Q. Were they what you call Smith & Wesson?—A. I don't know whether they were or not.

Q. Were they as large as what they call Colt's navy repeaters, or Colt's pocket size?—A. I handle so few pistols that I could not say; I don't know much about the length.

Q. Was the pistol as long as this pencil?—A. Oh, yes, sir; all of them longer than that pencil.

Q. Were they different sizes?—A. Just two sizes, to my recollection. I didn't pay much attention to the pistols.

Q. This pencil is about 7 inches; you say they were all longer than that?—A. Yes; all of them were longer, I reckon. I know some was.

Q. Now, the box was about 24 inches long, you say, 12 inches deep, and 14 inches wide, that full of pistols would make a right smart load for a man to trot along with under his arm, would it not?—A. I didn't say trotted.

Q. Well, walking?—A. I did say he was walking.

Q. Well, now, my question is unanswered.—A. Well, I don't know what kind of a load it was.

Q. Pistols are heavy, are they not; made out of steel?—A. Yes, sir; they are heavy.

Q. Who was with him when he came up with that box under his arm?—A. I didn't see anybody in company with him.

Q. How did you know he had been to the depot for it?—A. How did I know that he had been to the depot? When I saw him he was at the depot.

Q. I thought you said you saw him coming from the depot?—A. Of course I could stand at the depot and see plumb up Main street.

Q. You saw him at the depot?—A. Yes, sir.

Q. He got the box from the agent?—A. I didn't see him get it from the agent.

Q. Where did you see him get it?—A. I saw him get the box out of the depot and make past all that was there, with the box under his arm.

Q. Where did he get the box; you say he did not get it from the agent?—A. I didn't see him get it; I reckon he got it from him.

Q. Where was he when you first saw him with the box?—A. He was in the depot.

Q. Inside?—A. Yes, sir.

Q. Who came with him; anybody to help him carry it?—A. I didn't see any one else.

Q. What were the cartridges in that you saw there?—A. They were in boxes, seemed to be paper boxes.

Q. How many did there appear to be?—A. Well, I saw two or three sitting on the counter.

Q. I mean how many cartridges in a box?—A. I don't know.

Q. Were they shells—metal cartridges?—A. Metal cartridges?

Q. Yes, or paper?—A. They were metal.

Q. You say you were afraid to vote on the day of election?—A. I do.

Q. Why were you afraid?—A. I had every reason to be afeared, because on the 3d of November before the election the people over in Danville had been shooting.

Q. Then it was the riot that scared you?—A. I don't consider it a riot.

Q. Well, it was a shooting?—A. The killing, I call it.

Q. The killing, murder, massacre?—A. Yes, it was all three of them things that you named.

Q. And that is what scared you?—A. Yes, sir.

Q. Were there not assurances given by everybody that you should have a fair, free election that day?—A. By everybody?

Q. By everybody in authority?—A. I don't know. Some man told me—I am no man to accuse a man wrongfully of course—several of the men that I was acquainted with told us that there would be no danger, to come on and vote.

Q. What preparations had been made to keep the peace?—A. I saw the men with arms, I think there was fifteen men set apart as guards to keep the peace.

Q. In North Danville?—A. In North Danville.

Q. How many polls have you there?—A. Only one.

Q. What did the mayor do?—A. The mayor of North Danville? He gave orders for the people to be careful; he didn't want any row or anything of that kind.

Q. Did he not issue a proclamation, assuring everybody that they should have a fair chance?—A. That was only in South Danville. That man must speak for himself; I am speaking of North Danville, a separate corporation.

Q. That is what I am speaking about.—A. I believe he issued a proclamation; I won't deny that he did, but I never saw it.

Q. Do you not know that leading Democrats united with him, appealed to the people to come and vote; there should be no disturbance?—

A. No, sir; I do not know that either. I heard so, but I don't know it.

Q. You heard so?—A. Yes, sir.

Q. You could have found out whether that was so or not if you had inquired, could you not?—A. Well, many Democratic members of North Danville, of course, talked with me about the matter, and asked me to get the people to come to the polls and vote, but I told them that the people would not go and vote, that I knew of.

Q. Some of them did come to you and ask you to get them up to vote?—A. Of course they did.

Q. Well, there was a military company sent down from Richmond, was there not?—A. I heard so.

Q. Now, don't you think you could have voted quietly if you had wanted to without any disturbance?—A. I don't doubt if I had went to the polls and voted, I don't—I would have been disturbed myself, but I believe if the masses of the people had gone to the polls to vote there would have been disturbance.

Q. Well, you were the man they wanted to hang because you were chairman, and the masses were not in as much danger as you, were they?—A. I don't suppose they were, as a general thing, but that was the feeling before the day of election.

Q. Didn't you all come to the conclusion, talking it over, that it would be best for your party not to vote?—A. No, sir.

Q. That you were going to get beaten any how, and that you thought if you did not vote you could complain and have the whole vote of the precinct thrown out?—A. No, sir; I didn't hear that. I heard it the day after the election.

Q. Didn't you talk over this thing about voting with some of your race and some of your party leaders before the election?—A. About voting on the day of election? No, sir; I did not. I don't know what others did; I could not talk with all of them.

Q. Did you not consult with anybody at all?—A. I had no consultation about any plan fixed to vote, but on the day of election, of course, they had shot in our gang and all the birds were scattered.

Q. They didn't shoot in the North Danville gang, did they?—A. Most of them work in South Danville.

Q. They didn't follow them over in North Danville to shoot them, did they?—A. No, sir; if they did I didn't see it.

Q. Did you see Squire Talliaferro?—A. No, sir; there was a stream divided us.

Q. Well, Squire Talliaferro lives in North Danville, does he not?—A. No, sir; he lives in South Danville.

Q. You didn't see him to consult with him at all?—A. No, sir; I didn't.

Q. Did you see Mr. Sims?—A. No, sir; I did not.

Q. Did you see Mayor Johnstone?—A. No, sir; I didn't.

Q. Did you see Colonel Raulston?—A. I saw him at the post-office.

Q. Did you talk with him about what you ought to do?—A. I did not.

Q. Didn't mention anything about it?—A. No, sir.

Q. The election was not mentioned between you?—A. No, sir.

WASHINGTON, D. C., March 4, 1884.

J. J. VERSER sworn and examined.

By Mr. LAPHAM:

Question. Where do you live?—Answer. Danville.

Q. How long have you lived there?—A. Seven or eight years; since 1877.

Q. Were you there on the 3d of November last?—A. I was not.

Q. What is your occupation?—A. I am a deputy collector.

Q. Where were you on the 3d of November?—A. I was at Piggs's Mill, about 12 or 15 miles.

Q. When did you return?—A. I returned about half past 10 at night.

Q. Prior to that day had any one said anything to you by way of warning as to occurrences that might take place?—A. About ten days or two weeks before the election I was passing B. W. Graves's store, grocery merchant, and he stopped me, and we commenced talking about politics. He wanted to know how I thought the county was going, and he remarked to me that they were going to carry the town; he had no doubt about their carrying the town by a large majority. I told him I thought it would be rather closer than he expected. Then he remarked to me, "Verser, we have always been good friends, and you understand very well why, and I want to give you some advice." He says, "You take the advice of Mr. Frank Marks in your office. He says he never bothers with politics and attends to his own business affairs, and there is going to be trouble here on the day of election, and I would not like to see you hurt." He says, "You take my advice and stay in your room that day."

Q. What is Graves's business?—A. Grocery merchant.

Q. You don't speak of Captain Graves?—A. No, sir.

Q. A relative of his?—A. I think he is a nephew.

Q. Is he a Democrat?—A. He is.

Q. An active politician?—A. I don't know whether he is very active or not.

Q. Did any one else speak to you?—A. I think it was the following day, I was stopped near the Arlington Hotel by Mr. R. H. Woolfolk, who came to me and told me he wanted to see me and talk to me a little while. He said that there was going to be trouble on election day, and he wanted me to keep off the street. I told him I did not apprehend any danger; that I thought it was all talk for political effect. He says, "I am a friend of yours, and I want to tell you now not to be on the street." He says, "If you will vote, go to the poll early and vote, and then go to the country." He says, "Go, if you have to have an excuse to go. I don't want you to be on the street on the day of election." He says, "If you are, you will be killed."

By Mr. VANCE:

Q. Who is that?—A. R. H. Woolfolk.

Mr. VANCE. Mr. Chairman, it is right enough for me to suggest that that is not competent testimony. The declaration of any man concerned in the riot, of course, I take it, would be lawful testimony, but the declaration of a man who is not shown to have had anything to do with the riot, a mere private in the city—in the town—I don't think is evidence.

The CHAIRMAN. It seems to me that declarations made showing the general expectation, by good citizens, law-abiding citizens, of a riot or trouble on that day, is competent. You could show, on cross-examination, that this man had no facilities to know the wishes of the leaders of the party, or expectations of the leaders, but it seems to me competent.

Mr. VANCE. It is possible that this kind of testimony is admissible for such examinations. It is very sure it would not be legal testimony. If these parties were indicted for a riot, the declarations of this outsider would not be admitted as testimony unless his connection with them was shown.

The CHAIRMAN. It would have much more force if he was shown, in the testimony, to be one of the participants. What do you think, Mr. Lapham?

Mr. LAPHAM. I think it is competent.

The CHAIRMAN. I think it is admissible in an inquiry like this.

By Mr. LAPHAM.

Q. What was Mr. Woolfolk's position there as a politician?—A. A Democrat.

Q. Wasn't he a member of their club committee?—A. I think so, if I am not mistaken. I know nearly every one in town there.

Q. He is one of the signers of the circular, isn't he?—A. No; he is a brother of Dr. R. L. Woolfolk, of the firm of Ruffin, Woolfolk & Blair.

Q. You were about to say he said something more to you?—A. He told me he knew what he was talking about, and I had better take his advice.

Q. What is the business of his firm?—A. He is a dealer in leaf tobacco.

Q. Was Mr. Woolfolk a property holder there?—A. I am not certain. He was in the grocery business there a long while—commission merchant.

Q. Well, he is a man of prominence, standing, there?—A. Yes, sir; stands as well as any man in Danville, I reckon, as to character.

Q. Do you remember having any conversation there with Mr. Corbin?—A. No, sir.

Q. Do you know Mr. Westbrook?—A. I did.

Q. When was that?—A. On Saturday night before the riot; some time the last of October.

Q. Just a week prior?—A. Yes, sir; he met me near the office of Ruffin, Woolfolk & Blair, and told me that the people had made up their mind that time to carry that election; that they could not stand Mahone and the nigger rule any longer, and they wanted me to be on my guard, if I didn't I would be hurt, and that he didn't want to see me hurt as I had always been a good friend of his; and, if you will allow me to add, a week after the election he met me on the street and in company with Mr. Hamlin, who is our commonwealth attorney, he turned to me and said, "Jim, what I told you in regard to that difficulty you see has come to pass. It only came three days sooner than I expected."

Q. What was his position in the party?—A. He is a Democrat.

Q. An active man?—A. I think he is, very.

Q. Do you remember whether his name is signed to the circular?—A. I don't remember.

Q. Do you remember the circumstance of a gentleman by the name of Miller coming there from Richmond before this riot?—A. He is a relative of mine, and I would rather not say what—

Q. But it is at his request that I ask you the question. You need not have any delicacy about it.—A. Well, I heard it said on the street that a good many of his orders for shirts had been countermanded.

Mr. VANCE. I think that is hardly testimony, Mr. Sherman.

The CHAIRMAN. No, I think it is hardly testimony unless made by persons whom you could name.

By Mr. LAPHAM:

Q. Who is Mr. Miller?—A. He is a manufacturer of shirts in Richmond.

Q. When did he go to Danville?—A. I think it was before the election.

Q. How long before?—A. I am not positive as to the time exactly; I suppose two or three weeks.

Q. If you know any facts in regard to his business there and countermanding his orders, I would like to have you state them. Whatever facts you know about it, I would like to have you state.—A. I can only give you what he told me.

Mr. VANCE. I suppose certainly that man is not a citizen of Danville, even.

Mr. LAPHAM. Oh, I don't press that. Did you hear any of the persons with whom he was dealing there saying anything about it?—A. I did not.

Q. You only know of his visit and its results from what you learned from him individually?—A. I was told by, I reckon, half a dozen men.

Q. Told by whom?—A. The two Mr. Raglands.

Q. Living at Danville?—A. Yes, sir.

Q. Which Mr. Ragland?—A. He works in the foundry of Mr. Westbrook.

Q. He is one of the signers of the circular, is he not?—A. Yes, sir.

Q. You rode out with Mr. Miller while he was there, didn't you?—A. Yes, sir; I took him out driving.

Q. Being a relative of yours?—A. Yes, sir.

Q. After that occurrence, or any time, did he say anything to you in reference to it?

Mr. VANCE. I certainly object to that.

The WITNESS. It got to be common talk in our office there, and on the streets. I don't know whether I could call to memory the name of the men who came to me, but several of them——

Mr. VANCE. Wait a minute. Certainly after the conspiracy has been proven, the declarations of any of the conspirators are evidence, but to use the declarations of any persons at random for the purpose of proving the conspiracy, is certainly not lawful.

The CHAIRMAN. It is so easy to get the man himself here that I don't think we ought to press secondary evidence.

Mr. LAPHAM. No; I don't press the evidence as to what Mr. Miller did, but if any Democrat who was there said anything to him about it, I think that is competent. That is all the point that I intended to call out. [To the witness.] If you recall what any Democrat said to you on the subject after Miller's visit there, or during the time he was there, I would like to have you state that.—A. Mr. William E. Boisseau talked to me about it.

Q. How long before this riot?—A. It was probably a week.

Q. Who is he?—A. He is commissioner of revenue in Danville City.

Q. Is he a Democrat?—A. I think he is a liberal man. I don't know whether he is a Democrat or a Republican.

Mr. VANCE. Then certainly his declarations could not be competent.

Mr. LAPHAM. No; I don't press that.

The WITNESS. I have heard it said he was a Republican, but he has always been elected by the Democrats, or both parties.

Mr. LAPHAM. I don't urge that then. Do you recall now, Mr. Verser, any other occasion when you were spoken to prior to the time of this disturbance on Saturday?—A. I don't remember.

Q. Did you know, or observe anything in regard to the collection of arms?—A. I did not.

Q. I will inquire of you generally now, what was the state of feeling on the part of the white Democrats toward the colored people prior to this riot as evinced by their conduct or declarations?—A. They were very bitter towards all that did not agree with them politically in our town.

Q. Can you state any facts indicating that, coming within your knowledge?—A. Well, it is a common occurrence to hear men cursing and abusing the Readjusters—Mahone and his party.

Q. When did you first know of the Danville circular?—A. I think it was the day before Colonel Sims made his speech in Danville. I heard he was going to reply to a circular which I hadn't read.

Q. Did you hear that speech?—A. Only about a few minutes of it.

Q. The close of it?—A. Yes, sir.

Q. Do you remember whether he said anything in conclusion to the colored people as to the course they ought to pursue on election day?—A. He said they would go peaceably to the polls and avoid any difficulty, rather taking an insult than to have any disorder, to go up and put in their ballot. As I thought, rather giving them good advice.

Q. That was the conclusion of his discourse, was it?—A. Yes, sir; I left before he got through. I wasn't where he was, I reckon, over three to five minutes, as I had other business to do that night at the office.

Q. In regard to business affairs and in regard to patronage, was there anything that fell under your notice prior to this in the treatment of the whites towards the blacks?—A. Only from hearsay.

Q. You only know that from hearsay?—A. Yes, sir.

Q. Where was your voting place?—A. In Graves's warehouse.

Q. You were at New Design election day?—A. I was.

Q. What time did you go there?—A. I voted about half-past 9 o'clock in the morning, and drove out to New Design, I reckon, say from 11 to 12 o'clock I was there.

Q. Did anything occur while you were there indicating a disposition to violence on the part of the whites?—A. No, sir.

Q. Did you see any arms?—A. I saw them with straps around them, and some few of them with pistols sticking in their pockets.

Q. Visible?—A. Yes, sir.

Q. About the polls?—A. Yes, sir; right at the polls.

Q. Well, you know they were Democrats?—A. Always been considered so in Danville—Danville men.

Q. They were Danville men?—A. Yes, sir.

Q. Did you see any colored people armed?—A. I did not.

Q. Did you see any there?—A. A few near the polls, and I reckon fifty or seventy-five 200 yards off at the store. I tried to get them to come down to the polls and vote, but they said they wouldn't, as so many people were armed there from Danville they would not go to vote. I did that in the presence of Mr. Corbin, who heard me go to them and ask them.

Q. Was Mr. Corbin at New Design?—A. Yes, sir.

Q. Was he armed?—A. I couldn't say he was.

Q. Can you name some of those who were there from Danville who had arms during the time you were there?—A. I saw Mr. Taylor, Mr. McCabe, and two or three of them with belts that went on horses. Captain Graves was there; I didn't see that he was armed, though. And there was one or two I saw had pistols in their pockets, but didn't know their names.

Q. What did the belts on indicate?—A. A pistol, I presume.

Q. That is the mode of fastening them to the person?—A. Yes, sir.

By Mr. VANCE:

Q. How many negroes were there at New Design?—A. I saw fifty or seventy-five near the polls, and I reckon fifteen or twenty near the voting place.

Q. Did you advise them not to vote?—A. I did not. I advised them to vote.

Q. How many men were there there from Danville?—A. I reckon forty or fifty.

Q. Forty or fifty, and how many of them armed?—A. Of course, I couldn't tell you exactly. Those that had straps on I reckon had half a dozen pistols or more, and men had belts on indicating they were armed, I presume.

Q. Did you hear any conversation?—A. I did not.

Q. About the colored people voting—everything quiet?—A. Everything seemed to be quiet.

Q. Did you hear any white man urging the colored people to vote?—A. Only Mr. Corbin, who was in company with myself.

Q. He is a Democrat, isn't he?—A. Yes, sir.

Q. You heard him?—A. He went with me. He says, "Well, boys, there will be no trouble in voting." They said, "Mr. Verser, we are afraid to undertake it." They said, "If we vote our strength, no doubt, they will short us. Just look at the crowd of men from Danville who don't vote here."

Q. What did Mr. Corbin say?—A. He urged them as I did; he would try to protect them and see that they voted.

Q. What did you do in Danville?—A. I am a deputy collector.

Q. Of what?—A. Of internal revenue.

Q. You say that you are an active politician yourself, are you not?—A. So considered.

Q. You distributed tickets on the day of election at other places beside New Design?—A. I did not.

Q. You visited the precincts, did you not?—A. I went out to New Design.

Q. Any other place?—A. No, sir.

Q. Where do you vote?—A. I vote in Danville.

Q. Why did you go out to New Design if you didn't vote there?—A. I simply went out there to try to urge them to vote. I heard they were not voting.

Q. You went out to electioneer, in other words?—A. I did not. I went out with two or three gentlemen.

Q. Well, some call it electioneering, and some call it trying to get people to vote; you call it trying to get them to vote.—A. I took circulars that Judge Blackwell and others had signed the evening before, urging them to go to the polls, but I couldn't persuade them. They seemed to be scared half to death, and would not go to the polls. I went out next morning, as parties there had asked me to go out to New Design to see whether they could be persuaded to vote.

Q. They wouldn't vote?—A. Positively refused.

Q. Which Mr. Graves was this that you first mentioned as having had a talk with you; advised you to stay in the country?—A. No one advised me to stay in the country.

Q. Well, you mentioned Mr. Graves.—A. Mr. B. W. Graves.

Q. You say he is a nephew of Captain Graves, the old captain, as they call him?—A. I think he is.

Q. Are you not mistaken about that?—A. I think he is a nephew. He is a relative of Captain Graves.

Q. Now, give me again just the language that he used, if you please.—A. Do you want me to commence where I did before?

Q. I do not want you to tell over all the circumstances, just the language he used to you.—A. He remarked to me, "Take the advice

of Mr. Frank Marks in the office and not to have anything to do with politics, as I was a great deal thought of in the town by the people there, and furthermore that people wasn't agoing to stand the nigger rule; they were going to carry the county and the town, and he said they were going to have trouble and told me I had better keep close," I think, as near as I can recollect.

Q. Then you say that Mr. Woolfolk told you pretty much the same, did he?—A. Yes, sir; only he seemed to be more positive, and told me he didn't want to see me hurt; that he knew what he was talking about, and advised me if I would vote to vote in the morning and to leave for the country, if I had to have some excuse to go hunting. He said, "If I remained there I would be killed."

Q. That was about all he said, was it?—A. Yes, sir.

Q. Then who was the next man you talked with, Mr. Westbrooks?—A. Mr. J. B. Westbrooks.

Q. What did he say?—A. He told me that there was going to be trouble there, and said while me and him differed politically, he didn't want to see me hurt; had known each other a long time, but they were going to have trouble and to be on my guard. Then after the election he came up and said "It came three days sooner than he expected."

Q. That is about all they told you?—A. I think that is about all.

Q. Did either of them tell you from which side they expected the trouble to come?—A. No, sir; only the Democrats were going to carry the town, and I should infer from which side it was coming.

Q. You think to carry the town made it necessary that the Democrats were going to bring trouble, but neither of them told you which side was going to bring the fuss?—A. I think not. I could draw my own conclusion as to that.

Q. But we want the facts—what the men told you, as well as you can remember.—A. That is what I am giving you.

Q. Now, I will ask you if either of these gentlemen, or any other gentlemen in a similar position in the Democratic party, or in society there, ever intimated to you that they thought the colored people were going to make trouble?—A. Well, they have very little to say to me because I was once a pretty strong Democrat there, and the white people got so previous to the election they would hardly speak to me, and I have very little to say except to my friends.

Q. And yet one of them told you how much people thought of you?—A. Yes, sir.

Q. Advised you to leave town to get out of the way?—A. Yes, sir.

Q. And you never heard any gentleman, or either of them, of like position in society there, or in the party, say they expected the colored people to make trouble?—A. I did not.

Q. Why, you were present at Mr. Sim's speaking there the night before, Saturday, were you not?—A. Only a few minutes.

Q. Well, you were present; didn't you say to Mr. Graves that it was an outrageous speech, and that Sims ought to be made to apologize?—

A. I did not; I did not see him at all that night; I saw the depositions before the committee of forty, and I didn't make any such remark to him, and didn't see him that night at all.

Q. Then that is altogether untrue?—A. Untrue.

Q. Well, you heard Mr. Sims's speech?—A. Very little of it.

Q. Didn't you think the part which you heard was calculated to make trouble?—A. Well, he was reading over the names of those signers just as I got in, and a colored man remarked to me, he says, I am afraid we are going to have some trouble here; I saw Mr. Oliver with a pistol;

I turned right around near by where Mayor Johnson was and said, "Mayor, I understand some of them have got a pistol here; you had better be on your guard"; and I simply walked off.

Q. Did you hear the Mayor make such a remark that he would go on the stand and try and make Sims modify his remarks or apologize?—A. I did not.

Q. I believe I asked you before, but I don't think you answered it; was that speech—what you heard of it—not calculated to make trouble?—A. I think not.

Q. In the inflamed state of public mind there?—A. I didn't hear enough of it to judge anything about it at all; I had not read the circular, and when this darky made this remark to me, I simply told Mr. Johnson what he had said and turned right away; I didn't stay there over three or five minutes.

Q. Didn't you hear him call these men liars and scoundrels?—A. I heard him say it was the most infamous document that was ever drawn in this commonwealth, I think was his remark.

Q. Didn't you hear the word liar applied?—A. I did not.

Q. Did not stay long enough, I suppose, to hear all he said?—A. No, sir.

Q. You say there were forty or fifty Danville men at New Design?—A. Yes, sir; as near as I could judge.

Q. Were they all Democrats?—A. I suppose so; I don't know.

Q. Were there any of your own party, besides you?—A. Mr. Albert Crew, from Danville, was with me.

Q. Were there not some colored men there from Danville?—A. I didn't see any from Danville.

Q. Were there any from North Danville?—A. Not that I know of.

Q. Previous to the election some time, had you not been visiting the precincts of the county of Pittsylvania distributing documents and circulars?—A. I had not.

Q. Had not the deputy, or an employé of the internal-revenue office, been sent over the county for that purpose?—A. No, sir.

Q. Had one not been sent up into the adjoining county of Henry for that purpose?—A. Not that I know of. I have twenty-nine distillers in my county. On one or two occasions Colonel Sims and myself were together. I have to visit them once or twice a month, and on several occasions we have been together and we traveled two days together. I heard him make one or two speeches.

Going around with him?—A. Only for a few days. We were together in the canvass.

Q. Well, during that time you were around with him, if it was only for two hours?—A. Yes, sir.

Q. Did you distribute any documents in that time?—A. I did not.

Q. What points did you visit in company with Mr. Sims?—A. I went to Straightstone; I went to Hill Grove.

Q. Is there any distillery in Straightstone?—A. Yes, sir.

Q. Any at Hill Grove?—A. Two.

Q. Did Mr. Sims make a speech at both places?—A. Yes, sir.

Q. Did Mr. Sims stay at your quarters in Danville?—A. Very frequently.

Q. Was not that his regular place of stopping?—A. He generally stopped at the Newton House.

Q. But frequently stops with you?—A. Yes, sir.

Q. Did you sign that letter that Mr. Raulston wrote to the Valley Virginian?—A. I did not. I told him to sign it though. He told me he

was going to get it up, and I told him to sign it. I instructed him to sign.

Q. You instructed him to sign it without seeing what it was?—A. He told me what it was.

Q. He told you what the purport of it would be? It wasn't then prepared, was it?—A. It wasn't then prepared. I was going to leave.

Q. You told him to sign whatever he chose to write?—A. No. He told me he was going to contradict the circular that had been sent out, and I told him to sign my name to the circular.

Q. Did you afterwards disavow that you had signed it?—A. I never have been asked that question before, whether I did or did not sign it.

Q. Was there any publication made about it?—A. I think something was said about it in the Danville papers there. I have seen the circular though since, and I indorse every word that is said in it.

Q. You indorse every word that is said in it?—A. Yes, sir.

Q. Did you, when the question was made in the Danville papers about the authenticity of your signature, did you then avow that it was signed by your consent and with your knowledge?—A. It didn't call my name; it just spoke that some others had said that they didn't sign the circular, and wanted to know how many others would say the same thing.

Q. Yes?—A. I made no reply to that; said nothing about it.

Q. You made no reply to that?—A. No, sir.

By Mr. LAPHAM:

Q. Did Sims speak of the signers of that circular in any other way than as indicating the act of signing it?—A. I didn't hear enough of his speech to tell.

Q. So far as you did hear, I mean, did he go outside of the circular and say anything about their standing as citizens, or was he speaking simply of that act?—A. From what little I heard I think he was speaking in regard to the circular. I didn't hear but very little of the speech.

Q. Well, so far as you did hear.—A. Yes, sir.

Q. I omitted to ask you about your return that Saturday night. About 10 o'clock you reached Danville, if I understand you. I will ask you whether Sims was with you?—A. He was.

Q. Now, state what occurred.—A. When I came into North Danville I had heard before I got there in regard to the riot by some colored boys, who could not tell me anything about it, only that there were several persons killed. I got into North Danville. I met a gentleman by the name of Lewis and I asked him about the riot in Danville. He said there had been a riot over there and several killed; that the people were very much excited, and he said he thought it was caused by Sims's speech. I then started off, and he says, "I would like to see the damned scoundrel myself." I passed on and saw another crowd of four or five gentlemen—

Q. He said that to you?—A. Yes, sir. I passed another crowd of four or five together, which Mr. Lea told me afterwards that he was in the crowd and prevented them shooting in the buggy, because he had heard me talking, and they supposed Colonel Sims and I were together. I went on over to the bridge and thought it best not to drive into town, not drive up to the bridge. I crossed over to Colonel Raulston's house, but there was no one at home, but Colonel Sims thought he had a key, but couldn't get in. I told him we had better go down to the warehouse and take a back street up to my room. I took him up to Colonel Graves's warehouse, but four or five men rushed up to the buggy and I drove on very hurriedly, carried him down to my room, corner of Main

and Market street. He went up to my room and I then to the livery stable, and I reckon there were some two hundred and fifty men standing between the Arlington hotel and the old revenue office.

Q. White people?—A. Yes, sir; some eight or ten rushed up towards the buggy; they saw me in there alone and they turned back. I drove to the livery stable and got out, and the colored man who waits on me usually came out and said, "For Heaven's sake, Mr. Verser, get out. Fifty men have been along here to-night and wanted to know whether your mare had come." Two or three gentlemen came up and walked down in the stable and remarked, "Did Sims come back with Verser?" and the boy replied, "No." I went on and I met several gentlemen who advised me to go on to my room and stay there. The excitement was very great there, and they thought I was in danger.

Q. That was the state of things you found when you returned there?—A. That night.

Q. Any threats made to you?—A. No, sir. I met a gentleman next morning. I came out and went to the Arlington Hotel, and two or three of my friends up at the Arlington told me to keep quiet and avoid crowds, go to my room, and stay there—Jim Covington. Just as I got to my room a gentleman by the name of Bowles caught me by the coat, and said he wanted to see me. I told him I was in a hurry. He said, "I am not a damned scoundrel, but I suppose you are;" and he still swung on to me, and I told him if he didn't turn loose I would shoot him. Mr. Jack Cobb then, who was on guard, came up and took him away. He had evidently been drinking, and he came to me next morning and said he was under the influence of whisky was the reason why he did it.

Q. Did any one say anything to you about being mobbed unless you staid in your room—anything said about your appearing on the street?—

A. No, sir; I don't think any one said anything of the kind.

Q. Where did Sims remain Sunday?—A. In my room.

Q. All day?—A. Yes, sir.

Q. What was the reason for that? Was anything said to you that led to his staying in your room?—A. I heard next morning at the Arlington House when I went to breakfast—I heard them say they would like to see the damned scoundrel; he ought to be hung.

Mr. VANCE. Do you think that is testimony?

Mr. LAPHAM. Yes, I think this was near the occurrence. The tendency of it is to show that it was not the conduct of the colored people that led to this violence.

Mr. VANCE. I know; but judge, how is it possible for the defense to disprove anything when it is just said a man said so and so, a gentleman said so and so, or a colored man said so and so?

By the CHAIRMAN:

Q. Who made this remark?—A. It was from the crowd, but Mr. Smith Holland remarked to me on the steps of the Arlington—

Q. The father of the boy who was shot?—A. No, sir; a relative, I think. He asked me, "Do you reckon we will have any further trouble?" I says "I hope not." He says, "I understand the colored people are congregating together, and I just want to warn you in time." He says, "If this thing breaks out again niggers won't be the only ones killed this time; white men will be killed with them;" and turned off from me.

By Mr. LAPHAM:

Q. That was Sunday morning?—A. Yes, sir.

By the CHAIRMAN :

Q. That remark was made to you?—A. Yes, sir.

Q. Was he a Democrat?—A. Always so considered.

By Mr. LAPHAM :

Q. When did Sims leave Danville? He staid in your room Sunday.—A. He left about half past 9 in order to take the train for Richmond.

Q. Sunday evening?—A. Yes, sir.

Q. Do you know whether he went to see the governor, or that he said he was going to see the governor?—A. He said he was going to see the governor, or try to see him.

Q. Said that in the act of his leaving?—A. Yes, sir.

Q. Was Smith Holland one of the signers of that circular?—A. Yes; S. H. Holland.

Q. Is that the person you refer to?—A. Yes, sir.

Q. Did you attend any of the Democratic meetings in Danville?—A. I did not.

Q. Do you know whether they were secret meetings?—A. I don't know whether they were or not.

Q. Did you see white people armed Saturday night and Sunday other than those who were on police duty?—A. I reckon I saw two or three hundred armed on Saturday night and Sunday.

Q. They were not members of the police force?—A. I think not; not all of them.

By Mr. VANCE :

Q. When you got into town Saturday night after that riot, you were not surprised to find a good deal of excitement still left, were you?—A. Of course I expected to find some excitement after people being shot down there.

Q. After such a time as they had had?—A. I had not learned the particulars and didn't know anything about it, and of course, I expected to find the town excited.

Q. Now, Mr. Verser, with the exception of the drunken man who afterwards apologized, did any white man treat you rudely?—A. No, sir; he was the only one.

CHARLES WOODING sworn and examined.

By the CHAIRMAN :

Question. Where do you reside?—Answer. In North Danville.

Q. What is your trade?—A. Carpenter.

Q. Did you hear or see anything of the riot on the 3d of November in Danville?—A. I did not see the riot or shooting.

Q. Did you hear it?—A. Yes; I heard it.

Q. Where were you on the day before election, that would be the 5th of November, Monday?—A. The day before election I was working in Moulten's factory.

Q. I will ask whether you saw Mr. Thomas Lea and others, and at what place, on the evening of that day; and, if so, where?—A. I saw Mr. Lea on Sunday night.

Q. Not Monday?—A. Yes, that was on the other side of the river, over in North Danville, near the mouth of the bridge, on Sunday night, that I saw Mr. Tom Lea and others.

Q. What conversation occurred between you and him?—A. I walked

out from home on Sunday night after supper; walked over as far as the bridge. Just before I got to the railroad there, I met Mr. Thomas Lea and several other people. Thomas Lea hailed me and I stopped.

Q. You knew him, did you?—A. Yes, sir; I knew him personally. I stopped, and he cursed me and asked me where was I going. I told him I was staying at home; there was great trouble in town and I walked out to amuse myself, and see what I could hear going on. He cursed me and told me I had better be at home. I told him, "I wasn't doing anything; I thought it was a free country and I was a free man, and had a right to walk just where I pleased, Mr. Lea, and my reputation was as clear as yours or any other persons, so far as being honorable, and I have a right to walk out when I get ready." From that he said several harsh words to me.

Q. State what he said.—A. He says, "On election day we white people are going to carry this election." He says, "We will either carry the election; if we don't, we will kill the last damn nigger before we stop or carry this election."

Q. What then?—A. "And you had better be at home in your house and stay there and we will protect you," that way. This time the mayor of North Danville spoke, which is Billy Ball.

Q. Is he a Republican or a Democrat?—A. He is a Democrat. He spoke and says, "Well, Charles, I know nothing wrong of you at all; I know nothing wrong of you, but," he says, "there is a great deal of trouble; but for myself I say this:" says he, "I will be glad if you will come and go with us;" just so; "glad if you will come and go with us." "Well," says I, "I can't so far as I am concerned, I can't. I am a Republican and I am Straight-out, just what I am," says I. "I can't go with you in that respect."

Q. What did he say to that?—A. After talking to Mr. Lea a long time, "Now," he says, "the niggers have threatened to kill me." Says I, "I didn't know anything about that, Mr. Lea." Says he, "If anything happens now and a nigger does kill a white man we will kill the last damn nigger before we stop." Says he, "You needn't expect troops to come here from Richmond to protect you, nor anywhere else. If they come from Richmond they will be our friends and they will be against you; and," says he, "I don't care a damn for it any way."

Q. Where did you go then?—A. I went home then. I walked back home.

Q. Did you vote on the day of election?—A. No, sir.

Q. Why didn't you vote?—A. Because of the conversation with this same Mr. Lea about a week before the election; I had been in company with over in South Danville, between the Arlington and the old Farmers' Bank. I stopped off work at 12 o'clock and walked out on the street, the hour of rest, and I went up to Mr. Tom Lea and others, who were standing, using the same expressions almost. I passed by him. He says, "Now," says he, "you and all other niggers," just so.—there was several of them standing talking—"you and all other niggers had better come on the day of election and go with us, because if you don't we are going to carry this election." Says he, "We have done stood just as much as we are going to stand of the nigger rule in this town, and we are going to change the thing; we are going to carry it;" and, says he, "if any one sanction me on election day I will take my shot-gun and go out, and I will lead the first fire." After he made these expressions, and before the election, it did occur sure enough, and after it did occur I felt then to believe that if I took an active part in the

election and voted as I had expressed myself, as a Republican, that these things would occur sure enough; we would be murdered.

Q. And you didn't vote?—A. No, sir; I didn't vote on that account.

Q. Had you registered?—A. Yes, sir.

Q. You had expected to vote?—A. Yes, sir; I expected to vote.

Q. I will ask you generally do you know of any threats being made by Democrats, or any prophecies being made about trouble before the riot, other than these you have mentioned of Mr. Lea?—A. No, sir; not any before, only these that I remember.

By Mr. VANCE:

Q. You say on Sunday night you were walking out to amuse yourself?—A. Yes, sir.

Q. Was it in the daytime or in the night?—A. It was at night.

Q. At night?—A. Yes, sir; after dusk.

Q. Then you were not very much afraid to be out on the streets?—A. Was not very much afraid?

Q. Yes.—A. Well, just to say being real scared at that time, I was worried about that time more than anything else.

Q. You were worried?—A. Yes, sir.

Q. You were not scared?—A. Right at that time?

Q. When you met Mr. Lea he asked you where you were going; you talked up pretty saucy, did not you; you told him you had as much right to walk out as he had?—A. Yes, sir.

Q. You were not very much scared then?—A. I was uneasy, too, that same time; I felt it was my indispensable duty that when a man found a man in a close place it would be his reputation to him.

Q. And you reminded him of your rights and your reputation?—A. Yes, sir.

Q. Didn't he talk to you good-naturedly?—A. He did not right at that time.

Q. Did he not tell you all to stay off the streets and stay at home, and he would protect you?—A. Yes, sir; he said he was doing that, too.

Q. Did not threaten you with any personal violence or anything of the kind at that time, did he?—A. He said if he did not have the way with the election he would kill the last damned nigger.

Q. That was for the purpose of scaring you so you would not go to the election, was it not?—A. No, sir; I don't say for that purpose, because previous to that time he said before he was going to take a shotgun and lead the fight; he had said that two weeks before that.

Q. To whom?—A. He said it to me on Main street.

Q. That is the time he asked you to go along with him and vote their ticket?—A. Yes, sir; and after he said that on Main street people had been murdered, and I felt I had a right to believe that I would be destroyed.

Q. Then you were really scared?—A. Yes, sir.

Q. But you did not believe at that time that he was trying to scare you away from the polls so as to make you lose your vote?—A. Not when I first heard him I did not pay much attention to it.

Q. But did you the last time?—A. Yes, I did.

Q. Well, you told him you could not go along with him because you were a Republican?—A. Yes, sir.

Q. And you had to vote that way?—A. Yes, sir.

Q. And you said the reason why you did not vote was because you

believed that if you had voted as a Republican you would have been injured?—A. Of course both these things I believed, while I was a Republican; and if I voted at all of course I would have to vote the Republican ticket.

Q. Was there any Republican ticket running?—A. I think they did.

Q. Who were the Republicans running?—A. If it was not it was the Readjusters that we supported.

Q. That was not Republican, though, was it?—A. Well——

Q. Pretty much the same, is it not?—A. Pretty much the same.

By the CHAIRMAN:

Q. You were opposed to the other side?—A. Yes, sir.

By Mr. VANCE:

Q. And Lea told you that Sunday evening, was it, that somebody was trying to kill him?—A. Yes, sir; he said some of the darkies was threatening to kill him.

Q. And if any white man was killed, then what?—A. If any white man was killed then he was going to kill the last nigger.

Q. Going to kill the last one?—A. Yes, sir.

Q. And stop the breed?—A. Yes, sir.

Q. He said these troops from Richmond, they did not care a damn for them, because when they came they would be their friends?—A. Yes, sir; their friends.

Q. Had you heard before that time that the troops were coming from Richmond?—A. Not until that Sunday night.

Q. What time Sunday night did you find that out?—A. When I was talking with Mr. Lea, after dusk, I think.

Q. That was the first time you had heard it?—A. That was the first time I had heard of troops.

Q. When did the troops come?—A. They came Monday, I think.

Q. What time in the day?—A. I don't know exactly what time in the day it was now.

Q. What was it Mayor Johnstone said? He was with Mr. Lea, was he not?—A. Not Mayor Johnstone, but Mayor Ball.

Q. Mayor Ball, of North Danville?—A. Yes, sir.

Q. Well, what did he say when Lea was doing this talking to you?—A. Mr. Ball spoke, and said, "he knew nothing against my reputation, so far as that was concerned, but he would rather I would come and go with him, rather we would all come and go with him;" that way; that was his conversation.

Q. There was no harm in that, was there, trying to persuade you to go with him?—A. No, sir; the mayor acted very pleasant about that, the way he spoke.

Q. How was it you said that; anybody sanctioned you about your vote—I don't recollect what it was?—A. Mr. Lea said we are going to carry this election, and the darkies all better come and go with him, because they had stood the nigger rule as long as they were going to stand it, and on the day of election if any one would sanction it, he would take out his shot-gun and lead the firing.

Q. "If any one would sanction it, he would take out his shot-gun and lead the firing?"—A. Yes, sir.

Q. What did you understand him to mean by that, "If anybody attacked him, challenged him?"—A. No, sir; I did not understand it that way.

Q. What did you understand him to mean by that "if anybody would

sanction him?"—A. When the riot did occur I understand then it was a caucus plan made up that if the party would say go forward, he would lead off.

Q. That he would lead off?—A. Yes, sir; if it happened.

Q. Where were you on the day of the election?—A. I was in North Danville, at home, that day.

Q. Did you vote?—A. No, sir, I did not.

Q. Did you go about the polls?—A. Yes, sir; I passed up, I think, it was between 4 and 5 o'clock in the evening.

Q. What appearance was presented there; what was doing; what was the look of things?—A. I didn't see anybody there much, only white people. I think I saw one colored person there.

Q. Is he living or dead?—A. He seems to be alive and walking about.

Q. Was there any violence, threats, or firing of guns, or kicking up of any sort going on?—A. No, sir; there was no firing of guns right around the polls, but I seen several other people off a piece with guns.

Q. Were those the men that were appointed to keep the peace; did you see them?—A. No, sir; they was not all of them, because the mayor told me they only had thirteen men or sixteen men.

Q. The mayor told you he had only thirteen?—A. Yes, sir; to keep the peace under his command.

Q. Did the mayor try to get you to vote?—A. I never spoke to him on election day.

Q. Well, the day before the election when he told you he had thirteen men appointed to keep the peace at the polls, did he tell you you would be safe in voting?—A. Yes, sir; he said I would be safe in voting; then at the same time he asked me to go with him.

Q. Yes; that was that Monday or Sunday night?—A. That was Sunday night.

Q. The same time you have been speaking of?—A. Yes, sir.

Q. You didn't see the mayor on Monday?—A. No, sir; I didn't see the mayor on Monday.

Q. He told you arrangements had been made to keep the peace; he had thirteen men under arms to protect the polls?—A. Yes, sir.

Q. And told you you would be safe in voting; asked you to come along and vote with them?—A. Vote with him.

Q. And you declined?—A. Yes, sir.

Q. Did you not hear other white gentlemen, Democrats, speak about it being safe; that they would keep the peace at the polls; urge the colored people to vote, and so on?—A. No, sir; on the day of election I didn't have anything much to say to any person at all.

Q. Did you work that day?—A. No, sir.

Q. You staid at home?—A. Yes, sir.

Q. You passed by the polls, you say, at 3 or 4 o'clock.—A. Yes, sir.

Q. And everything was quiet?—A. Yes, sir.

Q. Were there any votes cast by the colored men at all?—A. Not that I know personally; I did hear there were 3 votes cast in North Danville—colored.

Q. You heard that from the returns, I suppose; didn't see it yourself?—A. Yes, sir; I didn't see it myself.

By the CHAIRMAN:

Q. What was the usual colored vote at North Danville; you say there were but 3 there this day—you heard?—A. I did once know, but I have forgotten right now.

Q. Can you tell us how many hundreds, or how many it was?—A. No, sir; I cannot say.

Q. Let me ask you another question; do you say there were some white men armed near the polls; how many were armed?—A. It seems to me from what I could see around the city limits and all around the city, different places, there was some forty or fifty.

Q. Were they policemen or not?—A. No, sir; they were not policemen.

Q. They were not armed like policemen?—A. No, sir.

Q. How were they armed?—A. They had shot-guns—breech-loading shot-guns.

Q. And had they pistols?—A. Some of them had pistols.

Q. Did you hear any guns fired off that afternoon, fired in the air, or any way, do you remember?—A. I heard some that night after the election.

Q. But not in the day time?—A. No, sir; I heard some that night after the election.

Q. Do you know enough to answer me whether the colored people generally were not afraid to vote at North Danville?—A. Well, from what I could learn on election day that evening that I walked out everybody was in general afraid to vote.

Q. Generally afraid to vote?—A. Yes, sir.

Q. Is Mr. Thomas Lea, whom you have been describing, the same Mr. Lea who participated in the riot on Saturday?—A. No, sir; this is another Mr. Lea—that was George Lea.

Q. He said that he would lead them?—A. Yes, sir.

Q. Is he a man of prominence? What kind of a man is he?—A. For years past—he has been the mayor once for a short time.

Q. He is a prominent leading citizen then, is he?—A. Well, undoubtedly, sir, he is.

Q. What is he?—A. He carried on a factory.

Q. Tobacco factory?—A. Yes, sir; a warehouse.

Q. He has been mayor of the town?—A. Yes, sir; once on a time.

Q. A Democrat?—A. Yes, sir.

WALTER GAY sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. I have been living in Danville about fourteen years.

Q. What was the state of political excitement in Danville for some time before the riot?—A. I don't know much about the condition of the town at that time, because I didn't visit down the main part of the city much, from the fact that I was a school teacher, and as soon as I was out I generally went home; but I was often down town about two or three times a week. I didn't notice any excitement until Friday evening I went down town; I heard some one speak about the Danville circular.

Q. Who was that; Mr. Sims?—A. No, sir; I saw the circular before I heard Mr. Sims; I went into a shoe shop, and a gentleman spoke of it, and I wanted to see it, and he gave me a copy of it to read, and they asked me what did I think about it. I told them I did not think it was a good circular; it was gotten up for political effect, and that I did not believe that many statements in it were true. I cannot remember all the statements now.

Q. Well, it is not material now. What was said by these people about the circular?—A. Did not any one pass any words about it.

Q. Had it been generally circulated before?—A. No, sir.

Q. That was the first time you had seen it?—A. That was the first time I had seen it.

Q. That was the day before the riot?—A. Yes, sir.

Q. What evidences of excitement existed from that time on?—A. The people seemed to be very much excited and wanted to know the consequences of what would occur. I attended Mr. Sims' speaking that night; remained until after he had finished, and I said to the crowd of persons standing around that I did not indorse all that Mr. Sims said. They asked me why. I said because I thought that he could have condemned the circular in a better shape; that I believed that some of those men who had signed it were good men, were respectable men, and I should think they could not really know what was in the circular when they signed it, and one gentleman, I don't remember his name, asked me why did I think they did not know what was in it. I said because it was gotten up for political effect, and men as a general thing sometimes sign appeals without reading, and I believed some of those gentlemen signed that thing without reading it, without knowing its contents.

Q. What did he say to that?—A. He did not say anything; he listened to me, but did not have anything to say about it. The next morning as I passed down Main street (I had been to the post-office; had a paper reading), stopped on the corner of Union and Main streets. I saw several white men standing on the corner very close to me. I heard a man say they did not intend to be ruled by a class of men seeking office, to fill offices, and it attracted my attention, and I looked up, but did not know any of them. I passed on down. I saw a sign sticking up on Tyck & Doe's hardware store on a piece of pasteboard newly written stating, "Smith and Wesson revolvers for sale here." I had never seen one, and I walked in to look at them; I went to the show-case where they were generally, but did not see any of any consequence, and made the remark as I passed out somebody had been buying revolvers, in my opinion, "they are very scarce in the show-case." I said that as I passed out the door; several men standing around, but I did not pay any particular attention to them and could not recall their names.

Q. What did they say in response to that?—A. They listened, but did not have anything to say. I went down to the corner of the market; I saw several standing together, I suppose, watching for Mr. Sims to come down from his office. I asked them what they were looking at, they said they just wanted to see Mr. Sims come down. I stopped and waited to see whether anybody would disturb him. He came down from his office and walked up in front of Mr. Vass's hardware store; walked back, went to the barber-shop, got a shave, and, I think, went right down and got in a buggy and went away. After that I went home and did not return until after the riot was over.

Q. State whether you had any collision with an employé of Mr. Holland about that time.—A. Friday night, as I passed home from the speaking, I passed by, right on the corner of Union and Main streets, where the white people generally held their political meetings.

Q. Opposite the Arlington?—A. Yes, sir; they were coming out then, and some one walked out of his way. I passed to the right and got clear on the edge of the street, and whoever it was, he walked out of his way, had a stick in his right hand and struck his elbow right in my breast, and turned me half way around. There was another gentleman with me at the time. I remarked I didn't want to get into any disturbance with

anybody; I had nothing to do with any of the affairs being carried on and the gentleman said I suppose he just wanted to start a disturbance, and I said I suppose so, and I will pass on and not have anything to say. I do not know the gentleman's name, but I think he was Mr. Holland.

Q. Which one?—A. C. G. Holland.

Q. Is that the young man?—A. No, sir.

Q. Was he one of the signers of the circular?—A. I don't know.

Q. Did you hear anything said on the morning of the riot about what they intended to do; any Democrats and white men say what they intended to do that day?—A. What I have just related. I consider those gentlemen Democrats that I saw, and they said they did not intend to have any man rule them, but only desired to fill their pockets and fill the offices, and for that cause would vote with the negroes.

Q. Who were they?—A. I don't know that.

Q. They were white men, were they?—A. Yes, sir; and I supposed them to be Democrats.

Q. They were at the usual gathering place of the Democrats?—A. Yes, sir; right at the corner of the street.

Mr. VANCE. He does not even know their names, or that they were Democrats; I don't think that is very good testimony.

The CHAIRMAN. It is not very important, but it goes.

Q. I will ask you what was the feeling among the colored people; you say you were a school-teacher?—A. Yes, sir.

Q. You taught a colored school, did you?—A. Yes, sir.

Q. You are an educated man, are you?—A. I won't say I am a thoroughly educated man.

Q. But you are capable of teaching school?—A. Yes, sir.

Q. Did you have to pass an examination?—A. Yes, sir.

Q. I will ask you what was the general temper among the colored people, as to whether they were excited or not about politics; what was their condition at the time of this affair?—A. They did not appear to be much excited.

Q. I will ask you if you ever saw them insult anybody, push, or jostle any one?—A. No, sir.

Q. What was their general habit in respect to that?—A. They seemed to be very quiet citizens, and always, so far as I know, tried to get along with the people without any disturbance. Of course, there are a few exceptions; there are bad classes of people of both races, and sometimes there were disturbances, but generally it was among the worst classes.

Q. There are bad colored people as well as bad white people?—A. Yes, sir.

Q. Did they show, any of them, any desire for a contest or controversy with the white people?—A. No, sir.

Q. Didn't they generally avoid that?—A. Yes, sir.

Q. I will ask you if you ever saw among them any preparations for a riot?—A. No, sir; I never did.

Q. How about arms; did you ever see them wear arms?—A. No, sir.

Q. How was it with the white people about Danville generally the week before this riot; were they armed or not?—A. I never took any particular notice.

Q. Did you vote on that day?—A. I did.

Q. Where did you vote?—A. I voted at Mr. Woodson's store, the voting precinct of the Third ward.

Q. You say you heard Colonel Sim's speech, but he did not take

the same view of this circular as you did; he denounced the signers of it instead of denouncing the circular?—A. He denounced the signers.

Q. What advice did Colonel Sims give the colored people for their own conduct?—A. So far as I know he advised them to be quiet and peaceable, and to cast their ballot without disturbing anybody.

Q. What did he say about resenting insults?—A. I do not remember anything he said about resenting insults.

Q. Did you understand him to speak of this circular, of the signatures of these gentlemen to this circular, as circulating what was absolutely false—a lie, as he characterized it?—A. That is what I understood him to say; he denounced the men who signed it.

Q. For signing what was false?—A. Yes, sir.

Q. Did he take up the different parts of it and read it?—A. Yes, sir; he read it by sections.

Q. He denounced it as false?—A. Yes, sir.

Q. Did he denounce them in any other way but as signers to a false circular?—A. No, sir; not that I know of.

Q. Still you thought it would have been better for him not to have gone so far, but to have simply answered the circular?—A. Yes, sir.

Q. Was there anything in the speech which tended to array the white people against the black people or the black people against the white people?—A. No, sir.

Q. He advised peace and good order?—A. Yes, sir.

Q. Are you prepared, from your knowledge of the people there, to say what would have been the result of the election in case this riot had not occurred?—A. I believe had it not been for that riot the Readjusters would have carried the city.

Q. Upon what ground do you base that belief?—A. Because the colored people were in the majority there and have always voted with the Readjuster party, and I believe that every one would have voted with the Readjuster party at that time, so far as I know.

Q. Now, I will go a little further. I will ask you what is the reason, why is it that the colored people are united against the success of the Democratic party?—A. It is natural for men to unite against a party that is always abusing them and don't desire to give them their rights.

Q. Then the opposition of the colored people to the Democratic party was because the Democratic party, in their judgment, has always been opposed to their exercise of their rights?—A. Yes, sir.

Q. First, opposition to conferring on them their rights, and then to their exercising their rights of franchise?—A. Yes, sir.

Q. Where the colored men are allowed to vote freely without violence how will they vote naturally?—A. I believe if they were allowed to vote without violence they would always vote for the party that seemed to be their friends.

Q. Their friends in what particular? What do the colored people want?—A. They only want their political rights; they only want to be treated as men—citizens.

Q. I will ask you if you have ever known of any armed organization or any secret political organization among the colored people?—A. No, sir; I attended almost every meeting in the Third ward during the last campaign and the rooms were open and anybody could come in that wanted to.

Q. How is it with the Democratic meetings?—A. I don't know; I am unable to say. I never attended any of their meetings; I never attempted to attend but one, and that was Saturday, the day of the riot.

I thought I would go to the meeting at the opera house, but I learned that no negro was to be admitted there and I would not go.

Q. Have the colored people, so far as you know, ever been instructed how to vote?—A. Not as I know of.

Q. They have had their political meetings and talked among themselves, &c.?—A. Yes, sir.

Q. They are open?—A. Yes, sir.

Q. No secret meetings?—A. No secret meetings.

Q. No secret organizations?—A. No, sir; not of a political kind.

Q. Were you a slave?—A. I do not know; I never called anybody master.

Q. How old are you?—A. I am about twenty-nine years old.

Q. Then you were very young when the proclamation was issued—only nine years old?—A. I suppose so.

Q. You don't remember, then?—A. I had some one say he was my master, but he didn't tell me to call him master, and I didn't call him master, from the very fact that he was reported to be my father.

Q. Then you were elected for a school teacher, were you?—A. Yes, sir.

Q. Where were you educated?—A. The Richmond Institute, a school supported by the Home Mission Baptist Society.

By Mr. VANCE:

Q. You say you saw this circular on Friday before the riot?—A. Yes, sir; I saw it on Friday.

Q. A gentleman had a copy and showed it to you?—A. Yes, sir; the gentleman had a copy and handed it to me to read.

Q. Who?—A. A man by the name of John C. West.

Q. A white man or colored man?—A. A colored man.

Q. Where did he get it?—A. I am unable to say. He only asked me to read it.

Q. Did you hear all of Sims's speech?—A. I did.

Q. You say you didn't indorse the manner in which he dealt with that circular?—A. Not wholly so, sir.

Q. You say the colored people didn't appear to be excited?—A. No, sir, not as I noticed; I didn't visit down town very often; I never had much interest in politics or bothered myself with it.

Q. He read it over item by item and pronounced every item a lie, did he not?—A. Not every one.

Q. Did he not say it contained one hundred and forty-eight lies?—A. I cannot say whether he said one hundred and forty-eight or one hundred and forty.

Q. Well, that will do. Did he not, every time he read one, appeal to his audience and say, "Don't you know that is a lie"? And didn't they say, "Yes! Yes! Yes!"—A. Yes.

Q. Well, they were not excited?—A. I don't say they were not excited at that time. It is good for any class of people to be excited when they hear such things as that and never have known anything of it before.

Q. Well, then, they were excited?—A. Yes, sir.

Q. Mr. Sims's speech was well-calculated to produce that excitement among your race, was it not?—A. At that time.

Q. You say you went into Tyack's to see the revolvers and only saw a very few?—A. I only saw a very few.

Q. From which you inferred that there had been a great many and people had bought them and taken them out?—A. Yes, sir.

Q. And you say you saw a number of colored people Saturday morning waiting at the corner of Market and Union streets to see Mr. Sims come down?—A. Not a great number, a small number, four or five standing waiting. I asked them what they were waiting for and they told me to see Mr. Sims come down.

Q. And you stopped for the same purpose?—A. I did.

Q. What did you expect?—A. I did not expect anything particular. I thought probably some of the signers of the circular might attack him or ask him to retract what he had said about it.

Q. But you saw no crowd of white people offer to interfere with him?—A. I didn't see anybody offer to interfere with him; I saw a number standing on the opposite side of the street talking, seemed to be a little excited.

Q. Was there not more colored people on the street than usual that day, for that very reason?—A. I don't think they were at that time.

Q. Didn't they come on the street to see fair play to Mr. Sims?—A. I never heard any one say so, and I never had any idea of that.

Q. That was your idea in stopping though, was it?—A. Yes, sir.

Q. You say there are some abuses among the colored people, created by bad men, but the generality of them you say are well disposed?—A. Yes, sir.

Q. Well, those bad colored men to whom you refer, did they carry arms?—A. Not that I know of.

Q. Then you think that but for that riot the Readjusters would have carried the town?—A. Yes; I believe they would.

Q. Why do you think so?—A. Because the colored people were in the majority there, and they generally voted with the Readjuster party, and I believe it was their intention then to vote with that party, from the very fact that they felt the Readjuster party was their only friend.

Q. What had become of the Republican party?—A. The Republican party and the Readjuster party united.

Q. Is the Republican party of Virginia the friend of the colored man?—A. Supposed to be.

Q. Well, it is not dead, is it?—A. Well, both parties united now, I suppose it is all considered one. I don't know whether they will ever separate again or not.

Q. Well, when two people get married one loses the name, don't ne?—A. I suppose so; yes, sir.

Q. Which one loses the name this time?—A. In my opinion, it looked like the Readjusters ought to lose their name, because they are in the minority.

Q. Really you thought it ought to be the Republican party that swallowed the Readjusters, and not the Readjusters that swallowed the Republicans? That is the way it ought to be?—A. Yes, sir.

Q. Do you know how the registration stood in town between the white and colored?—A. I don't exactly, but I think the colored are in the majority of about 170.

Q. There was no town election on hand at that time, was there?—A. I don't think there was.

Q. It was the legislature that was the principal election?—A. Yes, sir.

Q. If the Readjusters had carried the town they would not have carried the county, would they?—A. I am unable to say.

Q. Don't the Democrats usually carry Pittsylvania County?—A. I think they do.

Q. Can you remember a time when they have not carried it?—A. No, sir.

Q. Then it was not necessary for the success of their legislative ticket for them to bull doze the negroes in town, was it; because if all the colored votes in town had been cast the Democrats would still have carried Pittsylvania County, would they not?—A. I don't know; men sometimes change. I don't know how many white men would have voted for the Readjuster ticket in the county.

Q. Ordinarily, though, they would have carried the county according to the way it had always gone?—A. According to the way it had always gone, probably they would, but men sometimes change, and I suppose the white people would have changed at that time.

Q. But the results show that throughout Virginia the changes were the other way, in favor of the Democrats.—A. No, sir; I don't think it was.

Q. Well, the Democrats elected the legislature by an average majority of 15,000 or 20,000.—A. Well, I suppose they did, by raising the race issue.

Q. It don't matter what they raised so that they raised the Republicans and Readjusters out of their boots.—A. It seems like they raised them out of their boots.

Q. Now, Mr. Gay, you have said that the colored people were Republicans because the Democrats were opposed to their having their rights?—A. Yes, sir.

Q. Can you make that statement good?—A. I think I can.

Q. Has the right of any colored man to vote in Virginia, up to that time, been interfered with by the Democrats while they were in power?—A. I don't say it was directly, but it has been indirectly, I think.

Q. How?—A. Because when a class of men abuse another, and say they have no rights which another has a right to respect, don't you think the man is against him?

Q. Of course, but who said that?—A. It is the general impression among colored people that white men say so.

Q. Let us know what white man, Democrat, in authority or prominence has ever said it?—A. If they don't say that, they say something similar to it. What would you think of a speaker going on a stump and saying he didn't desire the vote of the black bucks?

Q. I think he would have wanted the votes of the white bucks; but that don't say he was opposed to them voting for the other man does it?—A. No, sir.

Q. Is there not as much abuse on one side as on the other?—A. No, sir; I don't think so.

Q. Did you ever hear a Democrat abuse the colored people worse than Sims abused the signers of that circular that night?—A. The signers of the circular did not constitute the whole Democratic party.

Q. Well, when men abuse a whole party, it is not as offensive as when they abuse individuals, is it?—A. No, sir.

Q. So Mr. Sims was worse than any Democrat you ever heard?—A. I do not say he was worse; but he took a good deal of responsibility in abusing these men.

Q. Didn't he say a great deal about those Bourbon Funders down there?—A. I did not take any particular notice.

Q. Have you not heard the other party denounce the Bourbon Democrats, as they call them, as bad as you ever heard the Democrats abuse

the Readjusters?—A. I didn't hear him using harsh terms of the party as a whole.

Q. Then all the evidence you have against the Democrats is that they abuse their political enemies?—A. You see all the Democrats don't want the negroes to have their rights. I think there are some just as good men in the Democratic party as in any other party; but, as a general thing, they are persuaded by their leaders.

Q. To do what?—A. To keep the negro down.

Q. How keep him down?—A. Keep him down by voting against him, and taking every privilege that might advance him.

Q. Do you not vote to keep the white men down?—A. No, sir.

Q. You vote against him every time, don't you?—A. No, sir.

Q. Well, once in awhile you get a white man who comes over to you to get an office and you vote for him, but you vote against them as a whole?—A. No, sir; no, sir; I don't vote—

Q. You know there are more white men who are Readjusters than there are colored men who are Democrats?—A. I think so.

Q. So your party is nearer consolidated against your opponents than the whites are?—A. Yes; I think they are; but in voting for men there is always a class of men put in office to administer the government, and most of them are white.

Q. Yes.—A. Then it seems to me we are voting for whites all the time. They get the benefit.

Q. Yes; that is what I say you are not smart about. Wherever you have the power you do not exert it.—A. We have the power in Danville to do a great deal more than we have done.

Q. Well, that is your fault, is it not?—A. Well, we don't desire to be so hard.

Q. So if a white man came over to you, professing to be with you, you vote for him?—A. I voted for men that did not profess to be with me. I voted for them because I thought they were good men, and suitable for the position.

Q. That is not the general rule in your party?—A. I believe a man is allowed to do as he pleases in that respect.

Q. Is a colored man allowed to become a Democrat in your country?—

A. Yes, sir; a man is allowed to become anything he wants to.

Q. He is punished a good deal for it?—A. Not that I know of.

Q. Is he not socially ostracized?—A. Not that I know of.

Q. Have you not known of an instance where a colored man has been cut off entirely for voting the Democratic ticket?—A. No, sir.

Q. You do not know such a case?—A. No, sir.

Q. Do you know of any colored Democrat in Danville at all?—A. No, sir.

Q. Never have known one?—A. No, sir.

Q. Then you have had no opportunity to know whether he would have been ostracized or not?—A. No, sir.

Q. How does it come that there is not more independence of opinion among them, and some become Democrats from principle?—A. I don't think a colored man can be a Democrat in the South, because why? The Democrats in the South are for the purpose of keeping the negroes down.

Q. That is their only principle, you think?—A. I don't think the whole party, but as a general thing it is so.

Q. They have some views about the government of the country, have they not?—A. They have views about the government of the country, I think.

Q. There are a good many white men there who at last go over and take the Republican view; why is it that colored men should not take a Democratic view occasionally?—A. I suppose they do sometimes.

Q. You say there is none in your country and you say there is none naturally?—A. I do not say; I say they are allowed to vote as they please.

Q. Then that is all the fault you can find with the Democrats in the way of interfering with your rights?—A. That is all.

Q. And they have never passed any laws in Virginia whilst they were in power to take your rights away from you on account of your color?—A. Didn't they establish the whipping-post?

Q. Did they take any right of stealing away from your race?—A. I don't know anything about that; but when a man is whipped he is supposed to be disfranchised.

Q. When a white man is whipped is he not disfranchised too?—A. But there are more poor negroes than white men, and it is understood that they would get more whipping than any other class, hence there would be more negroes disfranchised than whites.

Q. Why?—A. Because there are more poor negroes.

Q. A man is not whipped because he is poor?—A. Well, poor people sometimes do a great deal of stealing.

Q. Then your argument is that the whipping-post is unjust in that it gathers up more negroes than whites, because the negroes do more stealing?—A. No; I think it is unjust anyhow.

Q. Why?—A. Because I do not think it is a good law of this Government, that it is good principle, the idea of using the whipping-post to punish a man.

Q. Suppose you send him to the penitentiary, and disfranchise him that way?—A. Well, let him go there.

Q. I take it for granted that you are an honest and reputable man, a man of education. Do you think that a thief ought to have the same rights and privileges at the polls in the government of the country as you have?—A. I do not.

Q. Neither do I.—A. There are different kinds of punishment than the penitentiary, are there not? I suppose the class of men that do the worst crimes are the class of men that receive the worst punishment.

Q. Ought to be. Are not men disfranchised in Virginia who are sent to the penitentiary, as well as those to the whipping-post?—A. Yes, sir.

Q. Provided it is a felony that they have been convicted of. Were there any other laws, that you can think of, that were enacted for the purpose of oppressing the colored people?—A. I think that the law requiring the payment of the capitation tax before voting was another law to disfranchise them.

Q. Don't that operate on the poor white man as well as on the poor colored man?—A. You must remember that there are not as many poor white men as poor negroes.

Q. That is your misfortune, is it not?—A. Yes, sir; it is our misfortune.

Q. So that the law is just in its enactment, but it is unjust in its application?—A. I don't believe it would have been enacted if it had not been known that there would have been more negroes disfranchised than whites.

Q. Well, it was repealed before the last election, was it not?—A. Yes, sir.

Q. And the Democrats who had been beaten under the law were tri-

umphant after the law had been repealed. How do you account for that?—A. The great number of voters didn't vote at the last election, I don't think.

Q. Didn't more vote at the last election than ever had voted before in the State?—A. I think they did; but I think, as a general thing, the votes increase from time to time, and that is the cause of the large vote at this last election.

Q. Well, in addition to the natural increase of the population, there is always a large percentage of both races that do not go to the polls, is there not?—A. I think so.

Q. But in times of great political excitement more people go to the polls than in ordinary times. Is not that so in politics?—A. Yes; if they are free to exercise their rights, I suppose it is.

Q. Now, was not the gain of the Republican vote or Readjuster vote in the last election very great over the preceding election?—A. I think it was a little greater than it had been. I believe it would have been a great deal larger if there had not been an excitement, which caused the people not to vote.

Q. Did you hear of their failing to vote anywhere except in Danville?—A. I believe there was a number of white men who had voted the Readjuster ticket that voted the Democratic ticket because they were afraid of being ostracized.

Q. Have you ever heard of white men ostracizing their own color for not voting the Democratic ticket?—A. Yes, I think I have. I think that Danville circular speaks of one instance of the president of the council. I think it said that he did not do things to suit the white people. *He is a white man.*

Q. Do you know of any white man in Danville, who is otherwise a respectable man, received into good society, that was refused admission into society because he voted the Republican ticket or Readjuster ticket?—A. No, sir.

Q. You do not know of any such instance?—A. No, sir; I don't know of any such instance.

Q. Now, you say that there were no secret political organizations among the colored people.—A. I never heard of one.

Q. Did you have an institution called "The Union League?"—A. No, sir; never heard of it.

Q. Never heard of the Union League?—A. Never heard of it.

Q. Is there not some other kind of societies among the colored people down there into which none but their own race are admitted?—A. I have not heard of any secret political organizations.

Q. Never heard of any at all?—A. No, sir; I know there are secret organizations, such as Odd Fellows and Masons.

Q. Are there not some others—Sons and Daughters of Zion, the Consolidated Ebenezer, or something of that sort?—A. There is a society called the Zion Tavelers; they are females, all.

Q. Any voters among them?—A. I don't think there is.

Q. Are your churches not political organizations?—A. No, sir; they are not political organizations.

Q. Don't they frequently close the doors at meetings and have politics talked to them from the pulpit?—A. No, sir; I have never heard of any such thing.

Q. Don't they get their orders and instructions from the pulpit at those meetings?—A. The church that I belong to don't give any such orders.

Q. Don't you know, or didn't you ever hear, of any church that did?—
A. I heard a minister say once—advise the people to vote with the Readjuster party, but it was not in the meeting.

The CHAIRMAN. I think that is going a little too far—heard a preacher say, &c.

By Mr. VANCE:

Q. What church do you belong to?—A. I belong to the Loyal Saint Baptist church.

Q. Do you recollect anything of a circular coming out from headquarters, inquiring the names of the colored preachers in the State to be sent to the Readjuster headquarters?—A. No, sir.

Q. You did not hear that?—A. No, sir.

Q. Don't know anything of it?—A. No, sir; I don't know anything of it.

Q. Did you ever have any political questions come up in the church about the vote, or anything of that sort?—A. Not in the church I belong to.

Q. Any other that you know of? Do the colored preachers in Danville attend political meetings?—A. The preacher of the church that I belong to never attended one that I know of. I have never seen him at one.

Q. Do you attend meetings of other churches?—A. No, sir.

Q. No other but your own?—A. None but my own.

Q. You do not know what is done then, of your own knowledge, in the other churches?—A. No, sir; not of my own knowledge.

Q. You attend all the political meetings, don't you?—A. I attend all in the Third ward.

Q. That is the ward in which you live?—A. Yes, sir.

Q. Well, you say that you never have anything to do with politics?—
A. I never take any active part. I generally go to the meetings to hear what is said; what is being done.

Q. What office do you hold in the ward organization in your party?—
A. Don't hold any.

Q. Had no office at all?—A. No, sir.

Q. Did you make speeches?—A. No, sir.

Q. Did not say anything?—A. No, sir.

By the CHAIRMAN:

Q. You told Governor Vance that the colored people were a little excited when Sims made his speech. I will ask you whether they were excited at his speech, or at the statements in the circular?—A. They were excited at the circular.

Q. It was the statements in the circular, then, and not Sims's speech, that excited them?—A. Yes, sir.

Q. Senator Vance has asked you why you did not give as many votes to the whites as the whites voted with you. I will ask you whether you did not vote with whites that were friendly with you, instead of whites you thought adverse to you?—A. I voted for whites that I thought were friendly to me.

Q. State whether the majority of the people you voted for on your Readjuster ticket were whites or colored people?—A. They were whites.

Q. How was it with your city government; how were they?—A. The majority of the officers of the city government were whites.

Q. On the Readjuster State ticket that was voted for in November last, how many were white and how many colored?—A. I can't remember the exact number, but I think there four colored men.

Q. In 1883?—A. Eighteen hundred and eighty-three.

Q. Four colored men, and how many white men?—A. I do not know how many offices there were.

Q. How many persons were voted for on your State ticket?—A. I can't remember exactly.

Q. How many names were on your ticket last fall?—A. I can't remember how many names were on it.

Q. I will ask you who was running for senator; Sims, who was a white man?—A. Yes, sir.

Q. Who was running for member?—A. I don't remember either of the gentlemen. One was Mr. Cobb.

Q. Were they all white men?—A. I think they were.

Q. Was there a colored man on the ticket?—A. I don't think there was a colored man on it.

Q. You voted for these men because you believed that they would be more friendly to you; secure your rights better than to vote for the Democrats, whom you feared would not secure your rights?—A. Yes, sir.

Q. Do you say you have never known any colored man to be ostracized for voting the Democratic ticket?—A. No, sir; I never have.

Q. Do you not know that there are some in Danville who vote the Democratic ticket?—A. I have heard there were one or two that voted the Democratic ticket; I think they were barbers. One—I don't know positively that he voted the Democratic ticket, but I heard that he did. That was Mr. Moulton, a barber, and his daughter is a teacher in the same school that I am in, and we get along splendidly together.

Q. He is in good standing with the colored people?—A. Yes, sir.

Q. Do you know Mrs. Violet Keeling who was examined here?—A. No, sir.

Q. You do not know her?—A. No, sir.

DANIEL DUGGER sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. I live in Danville, Va.

Q. Give your age.—A. I am fifty-two years of age.

Q. How long have you lived there?—A. Twenty-six years.

Q. What is your occupation?—A. I am a merchant.

Q. Politically, what are your affiliations?—A. Democrat.

Q. Have always been?—A. Except on a few occasions I have voted for personal friends.

Q. Were you at home on the 3d of November last?—A. I was; I was in the town of Danville.

Q. Where were you at the time of this shooting?—A. I was in the office of Blackwell & Crumpecker.

Q. Nearly opposite the occurrence, in front of Woolfolk & Blair's insurance office?—A. Yes, sir; nearly opposite the occurrence, in front of Woolfolk & Blair's.

Q. Who was with you?—A. Judge Blackwell.

Q. Describe what you saw and heard.—A. I came up to Judge Blackwell's room on a matter of business. I was sitting; no one in the room but myself, and I started to the stove to light my cigar, when I heard the cry of murder. I went immediately to the window, and he and I approached the window at the same time. I raised the window, and in looking over the street I saw a young white man, whom I knew, and a negro in a fight, the young man striking him over the head, and the negro hollering murder; two or three other men standing with pistols.

Q. Who were the persons engaged in the fight?—A. Charles Noel and a boy by the name of Hense Lawson. George Lea was standing with his pistol, and a young man by the name of Taylor and a young man by the name of Dance. Dance was standing in the door with a gun in his hand. There was a crowd which accumulated. I saw at first from twenty-five to thirty, and it increased very rapidly; and soon after, immediately, a few minutes, a negro boy came over from the opposite side of the street, Mr. B. W. Graves's, and run to Lea and attempted to jerk the pistol out of Lea's hand. At that time Mr. Taylor struck him in the street, and the negro staggered, and directly Lea fired the first shot at this negro.

Q. Who fired?—A. George Lea. As soon as he fired that shot some gentleman, I think Mr. Robinson—I will state that this man Robinson, Mr. Burkley, and Mr. Corbin had been there. During the fuss there was a large crowd accumulated, and they were protesting, trying to end this difficulty as much as possible. As soon as this pistol was fired, some one took Mr. Lea off, probably eight or ten steps; but in the mean time Edward Hatcher came up, and some one had gone down to the opera house (at least I don't know that). In the mean time there were parties came from the opera house up street, and before they reached there Mr. Hatcher ran out in front of the negroes and remarked to them, "Git," fired, and remarked, "Now, boys, stand by me." When he did that there was probably a dozen or twenty fired right across the street.

Q. Into the crowd of colored people?—A. Yes, sir; as they were running off.

Q. Name those of the white persons whom you knew.—A. I knew Mr. Oliver there; I knew Dr. Temple; I knew Withers; I knew Taylor; I knew Corbin, who was not in the difficulty that I know of; I knew Mr. Hatcher; I knew Mr. Holland; I knew Mr. Dance; and I knew Mr. Friend. I could say a hundred of them.

Q. When the first firing took place what became of the colored people?—A. They ran into every alley and corner, and everything else, from the street.

Q. What did you observe as to whether the whites followed them?—A. They did follow them.

Q. Did they fire at them as they ran?—A. Yes, sir; promiscuously. Of course after passing a certain corner, I just stopped. I was telling what was in my view.

Q. Did you see any of those who were killed?—A. I did.

Q. How many?—A. I saw three.

Q. Where were they?—A. One was on the corner of Market, on the opposite side of the street from where I was on, near Mr. Joplin's store, on Market street.

Q. Where were the other two?—A. The other two were on the corner of Mr. Weisman's, Union street and Main.

Q. Up Main street?—A. Yes, sir; very close together. I knew the boy that was shot on the market. His name was Wilson; and one of the others.

Q. Did you notice where they were hit?—A. Yes, sir; my impression is that this boy on the market was shot in the mouth. I looked at him very closely; saw him when he was breathing his last breath.

Q. How were the other two hit?—A. The others were shot in the head, I think.

Q. What part?—A. Back of the head; that is my impression; I would not be certain about that.

Q. Were they all dead?—A. Yes, sir.

Q. Did you notice what Noel had, if anything?—A. I did not, as I stated in my evidence. I notice in one of the papers of Richmond I am represented as stating that Mr. Noel struck him over the head with something. I did not state that. I thought before I gave my evidence, and corrected it before it was carried out—stated he was hitting Lawson over the head, and blood was flying out of his head; I don't know whether he hit him with knuckles or not.

Q. You do not know whether he had knuckles on or not?—A. No, sir.

Q. What did Lawson appear to be doing?—A. He appeared to be simply defending himself. I will state that I didn't see the first blow; don't know who struck it.

Q. Who struck the man who was trying to get the pistol from Lea?—A. Taylor.

Q. And then the negro run?—A. The negro staggered, and as he staggered Lea rose from the jerked position in which he was, and fired at the negro; not at the crowd, but deliberately at the negro. There was no misunderstanding; he aimed it sure.

Q. Did you see any colored people with arms?—A. I did not.

Q. Or hear any shots from them?—A. I did not.

Q. What was your relative position from your point of observation?—A. I was standing in an elevated position, looking right over them; could see, I reckon, as much as any man could see; that is, there was nothing in the way at all.

Q. How far?—A. I was about 40 or 50 feet from the scene.

Q. Could you hear Hatcher distinctly?—A. I knew him; knew him well, and saw every bit of his movements. I believe to-day if Mr. Hatcher hadn't fired that pistol there would not have been any negroes killed. I know he had that pistol. I understand Mr. Hatcher denied having a pistol; but I know it as well as I know I am living, or know anything.

Q. How many shots do you think were fired in all?—A. Well, sir, that is a right hard question. I think there were over one hundred guns, and I think there would have been fifty negroes killed if they had shot with precision.

Q. Had you heard anything prior to this occurrence on the subject of probable violence?—A. Not to the negroes, sir.

Q. It was all unexpected to you?—A. Except this, the excitement of this speech of Colonel Sims. I will state that the night before, on Friday night, I was there and heard Colonel Sims's speech, and that there was considerable excitement in regard to his abuse of the signers of the circular. I did not approve of it.

Q. Now, did he speak of those gentlemen; in any other way than for the act of signing that circular?—A. I will tell you (I think I have his words verbatim): Colonel Sims went on and denounced the whole of that circular. In doing so he appealed very frequently to the colored people whether it was so or not. They, of course, as they denied anything of the kind, would give demonstrations of the fact. He went on then to the close; and at the close of it he denounced every man as a liar, scoundrel, and everything else. I thought his remarks were unfortunate, and that there were good men there, and didn't think some of these men really signed that. It was a magnified circular. I reckon I know about as much about Danville as anybody else; had been a magistrate there four or five years, and was register there.

Q. Were his criticisms of the circular unfair, as you viewed them?—A. Well, the circular magnified; the statement I thought was unfair

to the parties who had signed it, believing they had done so at the request of the parties who originated it.

Q. Did you understand him as assailing them outside of the fact of signing the circular?—A. Not at all; only denouncing the slanders, the act of signing that circular; that is it.

Q. He did not go outside to attack them as citizens?—A. No, sir; I did not understand him that way, at all, sir.

Q. What was the character of the crowd of colored people who were there?—A. Very orderly they were, certainly.

Q. Were they all of one sex, or a mixed crowd?—A. You are speaking of the time of the firing? Oh, well, a good many women and children. It was market hour, and right on the street where they frequent every Saturday—a large crowd—a crowd probably assembled there on that day on account of not working; as a general thing they were not working.

Q. They collected rapidly soon after this disturbance began?—A. Yes, sir; the colored people were out in the street, not upon the sidewalk, and the white people were on the sidewalk, and they congregated rapidly.

Q. They took no part in this affray?—A. I did not see it if they did. I heard the remark after Lea shot—I heard one or two negroes say, "Why, there is the man who shot him." I know one thing, I know the officers went up and attempted to stop this difficulty, and were prevented from doing it.

Q. Did you not hear them call for the arrest of the man who shot the pistol?—A. I saw the officers get up and attempt to arrest them and they told him he should not arrest him.

Q. Who?—A. This man Lea, and Taylor, and the rest.

Q. They forbid the arrest?—A. Yes, sir.

Q. With their drawn pistols?—A. Yes, sir.

Q. It was the colored people who called for the arrest, wasn't it?—A. I don't know.

Q. But you know the officers were prevented?—A. I know the officers were prevented by these men, and this man Dance was standing with a double-barreled shot-gun in an attitude of firing in the door.

Q. Did you see any arms come out of that shop?—A. No, sir; I did not. I saw plenty of men with arms though, any quantity of them.

Q. They began coming from the opera house at what time?—A. They commenced coming from the opera house about the time just before Hatcher fired, commenced when he fired, and this volley was fired, and then the general firing all over the streets.

Q. Did you know where Mr. Holland was shot?—A. Yes, sir; he was shot just above Woolfolk's. He had two pistols, one in each hand.

Q. Was he in the direction of the firing?—A. No, sir; he must have been shot by a white person standing on the steps of Mr. Paxton's, a few doors above. By standing on the steps it would elevate a man a little higher than a man on the curb-stone, and he was standing on the curb-stone. He was shot in the back of the head, sideways.

Q. Was there anything unnatural or unusual in the colored people gathering there when that trouble commenced?—A. No more than I have seen at other times under similar circumstances.

Q. Being there on the streets, they would naturally congregate to see what the trouble was?—A. I have seen it many times in a street fight.

Q. Did they not commence firing when Lea fired the pistol at the colored man?—A. They did; they were running. Some of them actually fired before they could turn around.

Q. Before Hatcher gave the order?—A. Well, I think, probably some of them gave way, and they came back after Lea shot. They came back and some one said, "There is a man shot—who shot him"? Some one made a mistake and said Mr. Taylor was the one. He remarked to them that he hadn't shot, but they could get the effects of his pistol then, or something of that kind. I heard every word of course, or pretty much all. There were other persons present right at the time. Mr. Berkeley was one of them. I saw them trying to do as much as they could do, everything to prevent it. I don't say there was not weapons. I only state I didn't see them; there might have been forty of them there.

Q. What time did you vote on election day?—A. I voted very early. I was going to Richmond. It was before 9 o'clock. I intended going to Richmond previous to the election but for that difficulty.

Q. You didn't remain in town during the day of election?—A. No, sir; everything was quiet when I went to the polls.

Q. You voted the Conservative ticket?—A. I voted the Democratic ticket.

Q. Well, the straightout Democratic ticket, I think it is called?—A. Straightout. I gave them the full benefit.

Q. Did you see anything that indicated the white people were in any danger from the blacks?—A. I did not; never apprehended anything of the kind. I had as many difficulties, I reckon, as any man in the town of Danville, but it has been with the lower class.

Q. Did it not appear to you that this firing upon that crowd by the whites was a designed, premeditated act?—A. I thought this. I did not think that the difficulty between the young men, that their difficulty occurred through any political preparation or anything of that kind. I can say this, that I was not in Danville for several months before the election, and was not as well prepared as some person in town would have been. I did not belong to any club, therefore could not state.

Q. Was there any cause that you could see there for that firing?—A. None at all, and I did not see any.

Q. An effort has been made here to have it appear here that this firing was in self-defense.—A. Not what I could see. I saw no demonstration upon the part of the negroes to use any arms of any kind or any description.

Q. So far as you could judge then the firing by the whites was without any justification?—A. I did think so.

Q. That was your impression at the time?—A. Yes, sir; I thought it was uncalled for; I thought it was brought on by those young men; they are wild and indiscreet. I will say this, I don't think that the good citizens of Danville sanction any such a thing.

Q. You don't know anything about the clubs that were formed or secret meetings that were held there?—A. No, sir; I was not in Danville for two months before the election. I was away from Danville. I have a warehouse in Boydton, Mecklenburg County, Virginia; canvassing those counties, not belonging to those clubs, I had no part; did not know of anything.

Q. Mr. Hatcher was a prominent Democrat, wasn't he?—A. Yes, sir; and he has always been a fussy one, too.

Q. How about Mr. Lea?—A. Mr. Lea has always been a very ardent man.

Q. Taylor?—A. I know of him only as a young man in the town. He is like the most of those young men, very firey to jump into these things without using discretion, and I think that is the way this thing was.

Q. You didn't know anything about the preparation that had been made for this thing, the gathering of arms, I suppose?—A. None at all.

Q. From that time down to the day of election?—A. I staid in Danville until the morning of the election.

Q. What was the condition of things between this violence and the morning of the election, when you left?—A. From Saturday night until Monday morning about 10 o'clock they got up the circular there, the mayor did, asking the parties to desist going promiscuously, every man with shot-guns and everything else, and the crowd on the street, up to that time, the boys and everything had pistols and bowie-knives and shot-guns and everything.

Q. Do you speak of white people?—A. I do. I didn't see a nigger have one.

Q. How was it Sunday?—A. Sunday the same way, up to 9 or 10 o'clock. Then they formed regular guards and had the town under guard.

Q. Did you see any white people armed at the polls Tuesday morning?—A. I did not. I left immediately, went right down town and took the cars; I was only there a few minutes; I was not there during the day.

Q. There were some colored people who voted with you the Democratic ticket, weren't there?—A. I don't know.

Q. I don't mean at this election, I mean prior to this.—A. I have known colored men to vote the Democratic ticket.

Q. Well, they did not lose their position there among their race by doing that, did they?—A. They are the men who own about the best property there, and they have always been treated in a very respectable way.

Q. They were subject to no ostracism?—A. No; they were rather elevated above the others, because they had better opportunities. There is Scott Moulton, and several of them there that I knew.

Q. Do you know of any efforts to withdraw business from them prior to this?—A. I could say nothing that I knew of to my own knowledge. There were some withdrawals from the market, but I could not state that, for I was away. I could speak of what I have heard men say, and who they were that said it.

Q. White men?—A. Yes, sir. I heard Mr. Miller, of the firm of Miller & Jennings, produce dealer, state that he had signed in his club a statement refusing to have any transactions with these negro hucksters.

Q. How long before was that?—A. Probably a day or two.

Q. Before or after the circular?—A. Before the circular.

Q. Where did you first see that?—A. I saw that circular in the hands of Mayor Johnston, Friday morning, before Sims made his speech.

Q. That is the first you heard of it?—A. That is the first I heard of it.

Q. You are not a signer then?—A. Not by any means, sir.

Q. How are the colored people there, as a rule, in their treatment of the whites?—A. The lower class are very disagreeable. There are as good colored people as any in the State of Virginia, or anywhere else, and as a majority I think the negroes behave as well as in any city of the same magnitude.

Q. Are they disposed to assert equality, or are they deferential to the whites?—A. They are deferential. I don't think they show any disposition to press more than their political rights.

Q. Socially they do not demand anything?—A. None at all. I have

never seen any disposition upon their part, except there are some negroes will show a disposition of that kind.

Q. They are exceptions?—A. Exceptions; not a general rule.

Q. And limited in number, I suppose?—A. Very.

Q. Did you know these men who were killed?—A. I knew two of them. I knew Wilson and Davis.

Q. Were they respectable men?—A. They were clever, quiet, and one of them I don't believe had anything to do with this affair. Wilson, I know, didn't. He was a carriage driver. This boy was standing simply looking on, like any other excitement.

By Mr. VANCE:

Q. Right on that point you say there were bad colored people there?—A. Yes, sir.

Q. Some very bad ones?—A. I should think they were. I have had to handle some of them myself.

Q. There were enough of them to stir up a fuss if they wanted, I suppose?—A. Yes, sir; enough there.

Q. Do you know the character of these men that were engaged in that fight with Noel and Hense Lawson?—A. The one that run?

Q. Yes; and George Graves, what kind of men are they?—A. George Graves is disposed to be a fussy negro.

Q. How about Hense Lawson?—A. Hense Lawson I have always looked upon as a quiet man. He is rather inclined to drinking, a man disagreeable in that way.

Q. But when sober?—A. He is a quiet, peaceable negro. I don't know much about Lewellyn. I know him when I see him.

Q. You say that you think that there was, from what you saw, no necessity for this firing; that it was not in self defense?—A. I did not think so.

Q. You were examined and your deposition taken in the contest between Sims and Hurt, wasn't it?—A. Yes, sir.

Q. Did you not say there that the colored people were pressing on the curbstone where the white people were standing?—A. Said they were getting around there, but did not say they were making demonstrations, or assailing, or anything of that kind. If you noticed my evidence, I said they were getting around there, and didn't seem disposed to go away, and they did not until that shot.

Q. I have your testimony as follows, your evidence taken in the contest between Sims and Hurt, page 55. In answer to a question, you say that "the colored people did gather closely to the curbstone."—A. I did.

Q. "Of the sidewalk, and was often told to leave, but did not make any further demonstrations as I saw."—A. That is it exactly.

Q. Then, on the next page, in answer to this question: "Did not the conduct of the colored people show that they were beyond the control of the policemen present"? your answer was, "It did."—A. That is so.

Q. "Might not many colored people in the crowd which you saw, have had pistols and other weapons which you did not and could not see, drawn and not drawn"?—A. Certainly.

Q. And you answered to that: "Certainly they could; but from the position I occupied, saw no weapons, drawn or otherwise"?—A. I am simply speaking of what I saw myself. I can answer for no one else.

By Mr. LAPHAM:

Q. Your answer was, you saw "no weapons, drawn or otherwise"?—A. No, sir; never saw a weapon; not a stick, even.

By Mr. VANCE :

Q. Now you say, or I understood you to say, that from where you stood in the window of the office with Judge Blackwell, that you overlooked the parties?—A. I remarked that it was an elevated position, and I was standing above and was overlooking.

Q. The white people were on the opposite side on the sidewalk, with their faces to you, and the colored people with their backs to you and close up to the curb-stone where the white people stood?—A. Yes, sir.

Q. You say you heard some persons trying to get the colored people to disperse?—A. Yes; I did. I saw some trying. I saw Mr. Berkeley there, trying as hard as anybody in the world; saw Mr. Corbin; saw Mr. Johnson.

Q. Did you hear what was said?—A. I couldn't hear everything distinctly. I could hear a good many remarks. These men were urging them, and Mr. Berkeley was urging the colored people, and Mr. Johnson urging the white people, and carried Mr. Lea off; carried him away a few feet, and heard Mr. Oliver. Of course I can't tell everything minutely that occurred.

Q. When you first went to the window, you were attracted by somebody hollering murder?—A. Yes, sir.

Q. Did you say that he was the man being struck by Noel?—A. That was the man being struck by Noel over the head.

Q. It was not a brother of his?—A. No, sir. I know him very well.

Q. The reason I say that, is that a number of witnesses have said it was the younger brother that did the hollering.—A. It was the man himself. His brother may have been hollering too, so far as that is concerned. He may have been hollering before I got to the window.

Q. You saw Mr. Hatcher?—A. Yes, sir.

Q. With his pistol raised?—A. I saw Mr. Hatcher when he deliberately came off the sidewalk, walked in front of the niggers and told them to git, and when he did so, he turned and said, "Boys, stand by me," and when he did so, he fired deliberately into the negroes as they ran off. Then this crowd from across, Mr. Lea, Mr. Taylor, and Oliver and Dr. Temple, and a whole parcel of others; they fired directly at the crowd as they passed off, and then commenced the general firing.

Q. Now you have it that the negroes were running when the first pistol was fired?—A. They had turned to run off as Hatcher ran out. When he hollered to the boys to stand by him, they turned and run.

Q. They were on the run before the pistol was fired?—A. Not before the first pistol.

Q. But before this general firing?—A. Yes, sir.

Q. Did you so state in your deposition?—A. I think I did, pretty much the same. I tried to give it fairly.

Mr. VANCE. I ask that the first general statement of his examination in chief, on pages 53 and 54 of the testimony taken in the contest between Sims and Hurt, in answer to the second question, may be put in as part of the testimony of the witness.

Mr. LAPHAM. I am very willing.

It is as follows:

Question. Were you in Danville in the afternoon of Saturday, the 3d of November, instant; if so, state where you were that afternoon, and whether or not you saw the disturbance or shooting which took place near the market-house in said city; if so, state all the circumstances and all the facts which you know of your own personal knowledge, in connection with said shooting?—Answer. I was in Danville that afternoon, and at the time of the shooting was in the law office of Blackwell & Crumpecker, opposite the place where the difficulty occurred, in front of Ruffin, Woolfolk & Blair's insurance office. I was there in consultation with Judge Blackwell on a

matter of business, expecting to leave town that night. I heard the cry of murder; I went immediately to the window, and saw in front of Ruffin, Woolfolk & Blair's, Charles Noel, the son of Jessie Noel, and a negro boy named Henderson Lawson, engaged in an affray. Noel was beating him over the head and the negro was crying murder. I saw him do nothing but attempt to shield himself. Three or four men, Mr. Taylor, a relative of Dr. Temple's, Mr. George Lea, and one or two others, I do not recollect their names, at the same time Mr. Dance, a young man in the office of Ruffin, Woolfolk & Blair, standing in the door with a double-barrel shot-gun in his hands, in an attitude of being ready to fire, but did not fire any shot, to my knowledge. In the mean time of this difficulty a negro man in front of B. W. Graves store, ran over to where this difficulty was occurring, and attempted to jerk from the hands of George Lea a pistol which he had presented, defying any one to interfere or separate the parties in the fight, policemen and all. The efforts of this man to get the pistol from the hands of Mr. George Lea jerked Mr. Lea down. When he did so Mr. Taylor struck the negro man in the mouth, which made him stagger, and as he rose Mr. George Lea fired at said negro, whose name I do not know. I know he had on a striped shirt; I believe he lived in North Carolina. A considerable crowd, both white and colored, collected around this difficulty—the colored in the streets, near the sidewalk, and the whites on the sidewalk. I heard some of the colored people say, when the officers approached the scene, "That's the man that shot," pointing to Mr. George Lea. In a few minutes after, a good many white people, both from up the street and from below, came up very much excited with pistols, and a good many colored people had collected, too, and Mr. E. M. Hatcher came out in the street and right in front of the colored, and hollowed to them to "*Git, every one of you.*" Some were going away and others looking on, when he stated "Stand by me and fire." Then a crowd of white men formed across the street and fired in the crowd of colored people. There were several white gentlemen whom I knew—Mr. L. C. Berkeley, Mr. John Roberson—doing their best to prevent this difficulty, and Mr. T. J. Corbin, also persuading the colored people to go away. Then there was a general firing all over the streets, up and down. I saw, after the firing ceased, three colored men, two up near Wiseman's store and one on the market, lying in the streets, dead. The private difficulty I did not think occurred on account of any political reason. The whites were all very much excited early in the morning, about a speech made by Col. Sims the night before, at the court-house, and Mr. Hatcher's firing in the crowd, caused the excited parties to rush both from up above the affray and from the hall where a Democratic meeting was going on. I did not see Lawson and Noel when they first commenced the affray.

The WITNESS. I made a fair statement, sir, if I can recollect. I have nothing to conceal from any party or parties.

By Mr. VANCE:

Q. Now you say there in that testimony—the general answer there—that you did not think that that private fight originated from political causes.—A. But from the original parties.

Q. You don't think it was?—A. I do not.

Q. Have you any evidence that satisfies you, and that you can now show, in fact that would satisfy the committee, that this fight was got up by design or premeditation, anything of that kind?—A. No, I have heard it stated. I think it was an excited party of young men got into this difficulty indiscreetly and brought about this difficulty, and then, being excited over Sims's speech, which I thought was unfortunate and didn't approve of it, and I think that brought about this whole business. I had no more idea that there was any difficulty going to occur there from the colored people than you have.

Q. Well, about Sims's speech. Judge Lapham has had you say, or to make the impression, that Mr. Sims separated the character of these men in all general respects from the mere act of signing the papers.—

A. I say Mr. Sims denounced them as bitterly as man could denounce anybody, and if I had been one of the men denounced I should have personally held him responsible for it. I did not approve of taking advantage of him, a mob or anything of that kind taking hold of Sims.

Q. Well, they didn't mob him, did they?—A. They did not, but there was evidently an inclination to do it.

Q. But they did not do it?—A. No, sir; they did not.

Q. Now, Sims, when he called these men liars and scoundrels, as I understand he did—A. He did, and I believe as brave men as ever was born.

Q. I wish to ask if he went on to say that these men were liars, scoundrels, and cowards, in so far as this act of signing the circular is concerned, but that they were very respectable men in every other respect?—A. No, sir; he didn't draw that distinction. He denounced them as liars and scoundrels and perjured rascals.

Q. And the evidence he gave of it was this circular?—A. Yes, sir.

Q. Did I understand you to say that Taylor forbid the arrest of Lea by the policeman?—A. Of Lea? Oh, no, sir. I say that these parties forbid the suppression of this difficulty; I saw no one attempted to be arrested.

Q. After the difficulty between Lawson and Noel you did not see anybody attempt to arrest, much less to prevent?—A. No, sir; never even saw one arraigned.

Q. And Taylor and others commanded the people to stand back?—A. Yes, sir; and told no one to interfere with that difficulty.

Q. Could you hear them say, "They are using no weapons;" to have a fair fight?—A. I didn't hear that. I simply heard him tell them that no one should interfere.

Q. Did you hear anybody tell them not to show foul play?—A. Nothing more than striking this man.

Q. That was the other man who was getting hold of the pistol?—A. Certainly. I saw no interference, only just keeping men away, this man knocking him over the head. What he was hitting with—his fist, knuckles, or anything—I couldn't tell. I was speaking merely what I know myself.

Q. Did I understand you, in your testimony, to say that Walter Holland had two pistols?—A. That is my impression, that he had two pistols, one in each hand.

Q. Do you remember where he was when he was shot?—A. He was standing a little above Woolfolk's, on the edge of the curb-stone, in the center; I will give you the exact spot.

Q. Let the table represent the curb-stone?—A. He was standing like the party was here [indicating] and running off; he was standing in this position on the edge of the curb-stone.

Q. Was he presenting that pistol?—A. Yes, sir; he had them out.

Q. Was he in the act of firing at the crowd?—A. Yes, sir; I think he fired at the crowd; simultaneously as he fired some one shot him; I think it was done by somebody shooting behind him.

Q. Which way was he looking? Down or across the street?—A. He was looking down the street.

By Mr. LAPHAM:

Q. Towards the colored people?—A. Yes, sir.

By Mr. VANCE:

Q. Were there any colored people behind him?—A. I didn't see any, there might have been one or two hemmed up there who couldn't get any further.

Q. The testimony of various witnesses was that the colored people were above and below and in the rear?—A. Yes, sir; the bulk of them in the street; I don't pretend to say there were no colored people there.

Q. When the firing began, the general firing that you speak of, how far do you suppose the foremost line of colored people were from the

foremost line of white people?—A. They were not as far as from here to that chair; not much farther than that.

Q. That would be about 8 feet?—A. Yes, sir; not more than 10 feet.

Q. Did you see anybody fall?—A. I did not, not the first man. When Lea first fired I heard a little child scream, when he shot at this negro boy, and I learned that there was a man there playing an accordeon, or something of the kind, and struck his little child somewhere in the fleshy part of the arm.

Q. You don't know whether it was so?—A. No, sir.

Q. Or whether the child screamed from fright?—A. No, sir; I don't know anything at all about it; I heard the scream.

Q. There were twenty-five or thirty pistols fired when Hatcher fired?—A. Oh, certainly.

Q. If there had been a desire to kill would not somebody have fallen at that fire?—A. I thought so.

Q. Some of the witnesses have testified that the first volley was fired in the air; what do you say about that?—A. I can't tell.

Q. Or over their heads?—A. It was evidently shot over their head, but whether they intended it or not I can't tell. They were using those self-cocking pistols, and sometimes they are very unreliable and very apt to fire too quick; at any rate they did not shoot into the crowd; if they had there would have been fifty of them laid out.

Q. It would have been necessarily the fact that if these men had aimed the pistols, with intent to kill, at the bulk of the colored people there, there would have been a number of them killed?—A. I have no doubt fifty of them, if not a hundred.

Q. In the efforts of these parties as they were keeping the peace did you hear any words the colored people said?—A. They may have made some demonstration; I don't pretend they didn't.

Q. I say did you hear any reason they gave for not dispersing?—A. No, sir; I didn't.

Q. Could not tell?—A. No, sir.

Q. Have you been a magistrate in Danville?—A. I have.

Q. Had criminal jurisdiction, of course?—A. Yes, sir.

Q. Do you know anything about the habit of the colored men carrying weapons?—A. Oh, they have them very frequently. I have had difficulties with them, and they have drawn them on me.

Q. Now, I can only put a general question to you there. In ordinary times are there not as many of the colored people with arms as white people, in proportion to numbers?—A. In ordinary times I think there are.

Q. Of course at an extraordinary time white people have more money and more facilities for supplying themselves?—A. They use a cheaper pistol than is used by the white men as a general thing, and especially the lower class; a razor or pistol is their main weapon.

Q. Did you, from your occupation as a magistrate, have any means of knowing whether this man Lawson had ever carried a pistol?—A. No, sir.

Q. Have you ever had him before you?—A. Never had him before me; I don't know whether he did or not.

Q. Do you know whether the colored people there carried any other weapons besides fire-arms?—A. Well, they used frequently a razor; they are a very formidable weapon; they like it very much; they use them sometimes very much; a great many of them have been taken up and found with razors in their pockets. I recollect a negro man having his throat cut; liked to have killed him.

By Mr. LAPHAM:

Q. You are speaking now of quarrels among themselves?—A. Yes, sir; this was a little dispute up there where they had a right sharp fight. That was amongst themselves though.

Mr. LAPHAM. I do not think that is pertinent here?

Mr. VANCE. That is one of the things that have been inquired about. Every witness almost has been asked the question.

Q. Is not there, Mr. Dugger, a locality in the neighborhood of Danville called "Hell's Half-acre"?—A. Yes, sir; and it is about as near hell as any place you can imagine.

Q. Who are the principal occupants of that?—A. Those low-down, drinking, frolicking, worthless women and men.

Q. Colored or white?—A. I hardly ever saw any whites, sometimes you find some white ones there.

Q. Have you had any of these denizens before you?—A. Plenty of them, and put it to them pretty thick, too.

Q. How long have you lived in Danville?—A. Twenty-six years; I came there in 1857, before the war.

Q. Have you known at any time since the war, since colored people were given the privilege of suffrage, any illegal or improper interference with their right of suffrage by the whites?—A. I have not.

Q. What is the general feeling between the two races there, aside now from these items of high political excitement?—A. I have always regarded them as kind. I have as kind and affectionate a feeling as any person in the State of Virginia to this unfortunate class, and I know them personally, and I have known men who have owned slaves all their lives, and they are the best men in it to-day.

Q. Now, I will ask you if you have the means of knowing what you might call the better class of the community, meaning the discreet and upright class of the community, whether they approved of the beginning of this riot?—A. I don't believe they did. I should get out of Danville so quick your head would swim if I did. No, sir; I don't believe it. We have got some as good people there as God ever made, and some bad ones, too, which you will find everywhere.

Q. Did I understand you to say that you thought that Mr. Sims's speech had something to do with inflaming the public mind?—A. I did. I think the people of Danville on Saturday morning were in that state of excitement that from a very little thing would have shed the blood of Mr. Sims, or any other man.

Q. How long after before the people became quiet?—A. I thought it was 12 o'clock. I apprehended no difficulty when I went to that hall. I was at the hall.

Q. You were at the hall?—A. I got there; when the row occurred I left there. I would not approve of that circular and I left the hall.

Q. Now, after the riot, how long was it until the people listened to law?—A. By Monday they quieted down.

Q. You didn't think that, with the reaction in favor of law and order, and with the presence of troops and armed police, &c.—A. I didn't think it was necessary to have troops.

Q. I say, but you think that with all that preparation the colored people could have voted without interference?—A. Certainly they could.

Q. You did not remain, I believe you said, all day of election?—A. No, sir; I had to go to Richmond.

Q. Everything was very quiet when you left?—A. Yes, sir.

Q. Do you have any facts that would enlighten the committee as to

whether the colored people refrained from voting out of an unreasonable fear, or whether they had some orders not to vote?—A. I don't know whether they had or not; I didn't stay there to ascertain, nor do I know.

Q. Did you have a place of business in the market?—A. I don't think I did at that time; I don't think I occupied one.

Q. Did you ever have one?—A. Yes, sir.

Q. Did you quit the market business?—A. I did.

Q. Why did you do it?—A. I had one or two difficulties with negroes. I found I could not do it with any pleasure, insulted by negroes, and might get into difficulty, which I didn't desire. I will say this, there are negroes carrying on business there just as polite and courteous as anybody, but their young clerks were a little boisterous, and I couldn't submit to their insolence; I had to go away. I had a difficulty once and had to draw my pistol on them.

Q. And you quit the business on that account?—A. Yes, sir.

Q. Was there any loafing assemblage about the market?—A. Yes, sir.

Q. To an extent that was a nuisance and offensive?—A. Sometimes. It was a low class of negroes that staid around there and done nothing; pick up a little basket or something of that kind, and they were rude.

Q. They were rude, and in the way?—A. Yes. Now, don't understand me as speaking of the parties who occupied the stalls, they were very orderly, good, clever people; but the parties that stood round there

Q. It was the crowd that they permitted to loaf around the market?—A. Yes; they were permitted to stay round there, but they were taken up for any rude acts, but they would come there.

Q. Now, with that state of things there did you, or did you not, find that ladies and others, who were in the habit of coming to the market, stopped coming?—A. Oh, they were frequently rudely treated—no question about that, but I attribute it to the lower classes, the parties that did so.

Q. Of course.—A. But that has been the case, and I have seen that done.

Q. That impaired the profits of the business, too, didn't it?—A. Yes, sir; kept them away from there; they would go to other places; Saturday evening they wouldn't pretend to go there, unless some boarding-house ladies who were compelled to go.

Q. Did you know of any men who left the market and established a market house elsewhere?—A. I did.

Q. On pretty much the same reasons you have given?—A. Yes, sir.

Q. Do you know of any of these rude negroes mistreating ladies and children on the streets?—A. I have known them to treat them rudely; but then, as I stated, it was that class of negroes that would treat anybody rudely. I had a difficulty with them myself.

Q. That was a pretty large class, wasn't it, in the colored population of Danville?—A. Oh, yes; and a very annoying class.

Q. I understand you; I live in a town about the size of Danville, and the great proportion of colored people are genteel, and as well-behaved as anybody, but there is an irresponsible, uncontrolled class. It was these that gave offense to the white people of Danville?—A. Yes, sir.

Q. Do you know anything about the ostracism of colored people who vote the Democratic ticket, how they treat each other?—A. No, sir; I have only known of one or two colored people in Danville who vote the Democratic ticket. I don't know that they had much to do with the

colored people. There is a barber by the name of Moulton, and another barber whom I have seen frequently, they were treated with kindness; these voted with them, but it seems to me they were well off—looked upon as a little higher crowd, and didn't treat them as unkind, probably, as if they had been in other circumstances, pecuniarily.

Q. Do you know anything about men's talking in the colored churches to make their members stand up to the rack?—A. I do not.

By Mr. LAPHAM:

Q. What offices have you held there?—A. I have held the office of a magistrate, and the office of register.

Q. How long were you a magistrate?—A. Four years.

Q. How long a register?—A. Four years.

Q. Both elective offices?—A. Yes, sir.

Q. Did the colored people vote for you?—A. They did.

Q. You were elected as a Democrat?—A. I was, and known to be one.

Q. And still you had the colored vote?—A. I had, because I have always been fair with them.

Q. How long is it since you had your stall in the market?—A. I haven't done any active business there in seven or eight months.

Q. The right to rent these stalls is secured at public auction, isn't it?—A. Certainly it is, any one can rent them; it is not confined to any sect or race.

Q. There is no favoritism to colored people?—A. No, sir; the highest man gets the stall.

Q. Isn't there a low class of white people there as well as colored people?—A. Certainly, and some of them we have about as much difficulty with.

Q. Are they not as bad as the colored people?—A. Certainly, and sometimes worse.

Q. More offensive?—A. Yes, sir.

Q. More arrogant, are they not?—A. Yes, sir.

Q. They show less respect to the rights of others?—A. Certainly.

Q. As a rule, the colored people are deferential are they not?—A. They are, and I can say we have got some as good ones there as we have got anywhere.

Q. I will put the question directly to you; you have read that Danville circular?—A. I have.

Q. Would you have signed that?—A. I would not.

Q. Do you think any discreet, worthy citizen would ever have signed that, knowing the contents?—A. I say I don't believe any good man would read that circular and say that thing is true in Danville.

Q. Why then was Mr. Sims wrong in what he said about it?—A. I thought that Colonel Sims ought to denounce the man that wrote that circular.

Q. You did not understand him as saying anything of them except as signers of the circular?—A. I did.

Q. He did not go outside to assail them as citizens?—A. No.

Q. He spoke of them as signers of that paper?—A. Yes, sir.

Q. If you had signed it, would not you have expected to be denounced for it?—A. Yes, sir; and I would have fought him, too, on the abuse that he gave me if he had been a king on his throne.

Q. What motive could there have been for issuing that circular?—A. Well, to give my opinion about it, I should think it was to gain the white votes of the west.

Q. Then it was political in its motives?—A. Certainly.

Q. To create a prejudice against the colored people?—A. Yes, sir.

Q. It was a race appeal, wasn't it, obviously?—A. Yes, sir.

Q. There was no other interpretation to be given to it?—A. None that I could see.

Q. Now, all the signers of that paper are prominent politicians, are they not?—A. Yes, sir; some of them are men who have always taken an active part in it. I don't consider them the leading men in Danville.

Q. But they are active politically?—A. Yes, sir; and some as good men as we have got.

Q. They have been to the meetings?—A. I could not tell you; I didn't attend them.

Q. Do you know why this meeting at the opera house that afternoon was a secret meeting?—A. Well, sir—

Q. Do you know?—A. I thought it was an exclusive one.

Q. Do you know why it was?—A. I thought it was in regard to that speech of Sims's, and I feared fixing some plan to attack him.

Q. Then you think it had reference to some probable measure of violence?—A. I do very emphatically.

Q. And that is the reason colored people were excluded?—A. I beg pardon; you are speaking of the meeting at the hall.

Q. Yes.—A. I was speaking of a different affair. No, sir; I can't say. I didn't know the character of the meeting until I got there.

Q. What meeting were you speaking of?—A. I was speaking of some citizens that met at the opera house after the speech of Sims.

Q. What time?—Q. Probably fifteen minutes after the speech of Sims.

Q. That same night?—A. That same night; there were some gentlemen there—

Q. You were there?—A. I was in the Arlington House.

Q. You were not at the meeting?—A. No, sir; I was not in it. I knew nothing about that meeting or the object of the meeting until I got there, and when I found it was to vouch for that circular I got up and walked out.

Q. You refused to indorse it?—A. Certainly I wouldn't indorse it.

Q. Do you know anybody else that did?—A. No, sir.

Q. Do you know of any other Democrat except yourself who declined to do it?—A. No, sir; I didn't care whether every one in town indorsed it I wouldn't.

Q. How many Democrats were there?—A. The house was full.

Q. Well, how many will it hold?—A. Five or six hundred.

Q. That embraces the bulk of the Democracy?—A. Of the main men; yes, sir.

Q. And they approved this circular?—A. Yes, sir.

Q. Indorsed it?—A. That is what I understood; I didn't stay there to know.

Q. There never had been a Danville circular before this occasion, had there?—A. I had never seen one; didn't see that one until Friday; never heard of such a one; was as much astonished as any other man, and denounced it.

Q. Were you in favor of the poll tax as a condition of voting?—A. I was not.

Q. Didn't you believe that that was designed to prevent colored people from voting?—A. I thought so.

Q. You think so still, don't you?—A. Yes, sir.

Q. And this was the first election after its repeal, wasn't it?—A. Yes, sir.

Q. And it had been repealed by the Readjusters after they came into power?—A. Yes, sir.

Q. Don't you know that the colored people found difficulty in paying their poll tax?—A. I know that.

Q. Could not find officers to whom to pay?—A. Sometimes could not; I have known that to occur.

Q. They had to pay white people?—A. Yes, sir.

Q. So that there were practical difficulties in the way of availing themselves of that law?—A. Yes, sir; practical difficulties in the way; white people, too, some of them.

Q. Don't you know of any occasion when you think there was an effort made to prevent the colored people from voting?—A. I thought in the election, which I think was in 1882 or 1881, that there was an effort made then; it was by the challengers; it was the Stovall election.

Q. Was that the time when Stovall and Cabell ran for election? You think in that election there were unfair means used in regard to the colored vote?—A. I think this: the canvassers or the challengers went outside of their proper sphere, but I don't think it was designed by the other parties.

Q. Oh, no; I don't mean that at all.—A. But I think that they prevented in this way, frequently they would unnecessarily challenge a man.

Q. Prevented colored people from voting?—A. Yes, sir; took up time.

Q. What election was that?—A. That was in the election of Stovall and Cabell.

Q. What year was that?—A. It was in 1881 or 1882; I know of no other.

By Mr. VANCE:

Q. That tax you speak of as a prerequisite for voting was repealed by an amendment to the constitution submitted to the people, was it not?—A. Yes, sir.

Q. It was carried by over 70,000 majority, wasn't it?—A. Yes, sir.

Q. Did not that show that a very large proportion of the Democracy voted for it?—A. Yes, sir; most undoubtedly; I suppose in the latter part of that the Democracy was as much opposed to it, and aided as much in voting it down as any other party.

Q. About this opera house meeting, were you there when the meeting was organized?—A. I was.

Q. Who was made chairman?—A. I think Mr. George Ayers and Dr. Coles was first called, and they refused; Dr. Coles had to go out, or something of the kind, and Mr. Berkley—

Q. Didn't Mr. Cabell preside over that meeting?—A. He may, but I know Mr. Berkley was called on too.

Q. Was there any undue excitement or violence connected with the meeting?—A. No, sir; I simply was not willing to indorse the paper, and I walked out; didn't think that a man ought to stay there and say he indorsed it when he did not. I never would indorse it.

Q. Was the resolution passed before you left?—A. I think it was.

Q. [Handing witness a paper.] Could you recognize that as the resolution?—A. I don't understand that; I understood it was an appeal to the citizens to approve the circular.

Mr. VANCE. The resolution was to be signed, but as I understood the disturbance broke up the meeting before it was signed, but it was passed.

Mr. LAPHAM. Well, it was signed to some extent. Suppose you reserve that for the present.

By Mr. VANCE :

Q. At all events, you say there was nothing done in violence in any way, except you did not feel like indorsing the resolutions?—A. That is all, sir; then I walked out.

Q. In relation to this election between Cabell and Stovall, you say you thought there was a little unfairness about that?—A. In the challengers. I speak of the challengers near the polls, not any of the officers; they are honorable judges.

Q. I suppose when you state that you never knew of any improper interference with the rights of the colored people since they were allowed to vote you did not of course allude to electioneering tricks that both sides practice?—A. Certainly I didn't. I know they are all given to that sometimes.

Q. But any organized effort to interfere with their vote, you say you have no knowledge of?—A. I have not.

WASHINGTON, D. C., *March 4, 1884.*

J. H. JOHNSTON sworn and examined.

By the CHAIRMAN :

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you resided there?—A. This is my fifteenth year.

Q. What offices, if any, have you held during your residence there?—

A. I was a member of the common council for two years prior to my election as mayor.

Q. When were you elected mayor?—A. I was elected in May, 1882, and went into the office July, 1882.

Q. By what party were you elected mayor?—A. I was nominated by the Coalition party, but carried a good many votes from among the people.

Q. Was there any party or united opposition by the Democrats against your occupying your position as mayor?—A. One faction of the Democratic party, yes; there was a very strong opposition.

Q. What faction? How would you describe them?—A. It is a faction that we have always called "The Ring" in Danville; a faction that is opposed to any party other than themselves, on general principles.

Q. What was the alleged cause of the opposition to your occupying the position of mayor?—A. I don't know that they assigned any specific reason. The first ground that I had to suspect, or to know, rather, that this strong opposition existed was in the month of June, after I was elected in May. Dr. T. W. Keene, our present member of the house of delegates, in conversation with me before I went into office (this was in June, and I went into office in July)—he was a candidate also at the same time for the same office—

Q. Opposed to you?—A. Yes; he said that I had beat the whole party of them; and he was a man who always surrendered when he got beat, and he regretted to know that they were going to take an obstinate course. I asked him what he meant by that, and he said, "They are going to make war upon you, and the whole administration." I

asked him what they expected to accomplish by such a move as that. He said he did not know. I asked him to tell me the names of the persons who it was, so that I could guard against it.

Q. I do not know that I care to go into the details of that.—A. Well, there was a very strong opposition, I can tell that.

Q. What party prevailed in the election?—A. The Coalition party.

Q. What party had you acted with before that?—A. The Democratic party, except on one or two occasions. I never was a Readjuster. I have voted what you call a split ticket. For instance, I voted for John S. Wise, and also voted for Cabell.

Q. You had been a Democrat prior to this time?—A. Yes; and I claim to be a Democrat now, but I am an independent one.

Q. This was the Coalition party that elected you?—A. Yes.

Q. Were the members of the council, and the municipal officers elected at that election all members of the Coalition party?—A. No, sir. There are forty-four officers, I think, in the municipal government, and there are nine colored, and you might say two-thirds of them Democrats.

Q. Of the officers in Danville?—A. Yes; more than two-thirds—forty-four members, nine of them colored.

Q. Forty-four in all, and about two-thirds Democrats?—A. Yes, sir.

Q. And the other third were Republicans?—A. Coalitionists and Republicans; that is, what you might term Republicans and Coalitionists.

Q. How many of the Coalitionists were colored people?—A. Nine.

Q. What offices were held by the colored people under that organization?—A. There was one a magistrate, one a police officer.

Q. Mention his name.—A. W. H. Jones, magistrate, and Walter Withers for the first year was a colored police officer; Squire Talliaferro was a sanitary scavenger, you might call it; Holland, Swann, Batts, and Payne, and a man by the name of Lipscomb, were elected in the common council; and another man whose name I cannot call now at the colored cemetery.

Q. He was here as a witness, was he not?—A. I don't remember.

Q. Give the names of the others. You have given the names of five?—A. I said four in the council and one magistrate; that makes five; and two police officers the second year would be seven; and Benton Fields was the weigh-master at the market and hay-scales would be eight; and this colored man out in the cemetery would be nine.

Q. Those were the colored officers. The rest were all white men?—A. Yes, sir.

Q. And two-thirds of the whole were Democrats?—A. More than that; over two-thirds.

Q. Was there any investigation made by this new organization of the official acts of the previous officers of the previous administration?—A. Yes, sir; at the time I went in office there was a writ of mandamus had been sued out by my predecessor, who went in office July, 1882; that writ was returnable at the July term, which came off ten days after I went into office. There was a resolution of the council, preceding the term in which we went into office, demanding an investigation of my predecessor's books, which he refused to allow to be investigated, and they sued out a writ of mandamus in the hustings court. That was pending when I went into office. The mayor did not turn over any books to me. He stated the condition of affairs, and I started a new set of books. When the court rendered its decision that resolution was still unrevoked. I then went to work to investigate his books, and did investigate them.

Q. What was the result of the investigation?—A. The result was

that some of the police officers were defaulters. They had collected money belonging to the town government that they had failed to account for, and I rendered a judgment against them for the amount that was shown by the evidence taken down in the investigation at the time.

Q. How many of those officers were thus charged with defalcation? Do you remember?—A. I think there were five of the police officers. There was one magistrate there in default; but the most of them settled up. There was a man by the name of Hatcher who disputed the amount rendered against him; he said that the witness had testified falsely. He took an appeal from my decision to the hustings court, and when he took the appeal he asked in that appeal the privilege to make a confession—a written confession—of the amount of something over half the amount that I rendered judgment for, which is now on file with the clerk of the hustings court in the town of Danville. That suit has never been decided, and it brought about a serious trouble—a duty which I had to perform, and which I had to regret.

Q. What was the nature of that?—A. The nature was just this: Some thirty-three days after I had rendered that decision I had heard it around town that he and others were going to do this, that, and the other—hot headed parties as I understand—for the purpose of making political capital. But he and three others, as well as I can remember, put a card in the Daily Register denouncing that decision of mine as a malicious lie. I took no cognizance of it then at all, and went along though and took a copy from the proceedings of this investigation—written testimony, taken down by a clerk employed at the time, for the purpose of advertising to the people what I had based my decision upon, to show whether it was a malicious lie or not. On Saturday morning I gave it to the press. This man attacked me.

Q. What was the nature of this advertisement that came out?—A. He charged my judgment as a malicious lie, denounced me as a liar and a malicious liar, done for a malicious purpose.

Q. That was published in the paper?—A. Yes, sir; and three or four others all joined in at the same time over their signatures. But, as I was going to say, my purpose was to put that in the papers—just the evidence which this decision was based upon. Before I could get it into the papers (or rather, I had given it to Mr. Anderson, the editor of the Register, which is an evening paper), and I was on my way to the place of business, about a quarter to 2 o'clock Saturday afternoon, I think the 11th of September, 1882, shortly after I went into office; this man Hatcher met me some 15 or 20 paces from Royal street, down on Lynn street, a place he had not been for months. I say he met me. He came down that street, and he stopped to watch for me to come up. When I got up within some 4 or 6 feet of him he was standing with a drawn knife in his hand. I knew something about the man. I had heard of him cutting previous to that. He remarked to me, "This is the first time I have seen you since" (I don't know whether he said "since your correspondence" or "your decision"; I did not understand the words), "and I demand an apology from you." I says, "I have no apology to offer you." At that he jumped at me with that knife, and made a lick at my throat. I was smoking a cigar at the time, and he came very near getting me, because I was not looking, but jumped into the street. He still continued to cut at me with the knife, cutting at my bowels and throat, and I told him to go away or I would shoot him as sure as hell; but he continued to proceed in a desperate way. He was a desperate man and made desperate efforts, but he could not succeed. I had too much lever power; my arms were too long. He came

up to me, and when he did that I gave him a kick and kicked him clean off the sidewalk. As soon as he found he could not get me, he ran his hand into his hip pocket, and said, "I will shoot you"; and then I shot him quick as lightning.

Q. Is that the Hatcher who was a witness here?—A. Yes, sir.

Q. Is that the only controversy you had had at that time? Was he drawing his pistol at the time you shot him?—A. Oh, yes; I only got a turn on him; that is all.

Q. Was there any other judgment against him, except the case brought before you?—A. I was arrested then.

Q. I will ask you whether there was any other controversy between you and him, except the judgment you had rendered?—A. No, sir; the reason, I think and have always believed, and a great many of his friends and my friends believe, that he was put up to this.

Q. That I did not ask, at all. Do you know of any other controversy?—A. No, sir; there was no feeling between us that I know of.

Q. State what was done.—A. I was arrested that evening, carried before this magistrate, bound over until Monday, and tried before the magistrate and acquitted. The commonwealth employed five counsel; Mr. Berrkeley was one of them. I was acquitted. Some fifty days after that the grand jury met and indicted me and I was tried before the jury; the same crowd—Berrkeley and his crowd—represented the commonwealth in assisting the attorney, and I was acquitted again.

Q. By the verdict of the jury?—A. Yes, sir.

Q. Upon the ground of self-defense, I suppose?—A. Yes, sir. It is a thing that I have to regret; but I would commit the same deed again under the same circumstances.

Q. Were you examined as a witness in this trial?—A. Oh, no.

Q. A person on trial cannot be examined himself under the laws in Virginia?—A. No, sir; his mouth is shut.

Q. You proved your defense by by-standers?—A. Oh, yes; a sufficient number of men around saw this—some white and some colored. There is not one man in a million but what would have done what I did, unless he is a most terrible coward.

Q. What has been the course generally of the Democratic papers in Danville towards officials whose election they do not approve?—A. Well, this fact that I alluded to—they have been very severe upon them all the time.

Q. Would they make personal quarrels out of official's acts, or what?—A. For instance, I will take the Danville Times, backed up by this party. They would misrepresent pretty much everything that was done by the municipal officers, and exaggerate, take up decisions rendered by the magistrate, and make statements upon hearsay which were contrary to the facts, and a great injustice to the officer. I remember the case of Dooley was written up there, and a stranger to read it would think it barbarous treatment. I happened to be present and heard the trial, and it did not represent the facts at all. They followed up the party all the time—this paper and its followers—I suppose for political purposes, I do not know for what else. I could not see any common sense or any common reason in it.

Q. They made a personal offense out of these political matters?—A. It seems so. There had been a good deal of ostracism, vituperation, and villification.

Q. You continued in office from the 1st of July, 1882, to November 1st, 1883?—A. I am still in office.

Q. Well, up to the period of the events we are investigating; I want to know what was the general character of the legislation and manage-

ment of municipal affairs at Danville?—A. I know nothing except that there were objections made to this common council.

Q. How many white men were in the council?—A. Eight white men and four negroes.

Q. How many of these white men were Democrats?—A. I think seven of them.

Q. The majority, then, of the council were Democrats?—A. Yes, sir.

Q. Now, what was the general character of the legislation by the common council?—A. Why, it was very good.

Q. Was there any political contest made over any questions that were before you?—A. None that I know of.

Q. You say that the mayor and the common council are separate departments. Has the mayor a veto power?—A. No, sir; but mine is the executive department and theirs the legislative department.

Q. All you had to do was to execute the laws they passed?—A. That is all.

Q. You had no veto power?—A. None at all. There were some objections made by parties to this common council, from the fact that they put colored men on the police force, which had never existed in our town prior to their election; but as to their financial conduct, as to the running the Government, I have heard no complaint made, and there is no reason for any.

Q. Who selected the policemen?—A. The common council.

Q. How many police officers were there in Danville?—A. There were nine.

Q. How many of these were colored?—A. For the first year there was one—Walter Withers—from July, 1882, to July, 1883. He was the only colored police officer we had.

Q. And after July 1, 1883?—A. They increased the number to two.

Q. Who was that done by?—A. The common council. Police officers are elected every six months.

Q. Now I have asked you about the legislation, I will ask you about the management of municipal affairs there. Were there any controverted questions that arose in your administration about the management of the executive branch of the government?—A. No, sir; I don't know that there was.

Q. Was there any complaint made by the citizens of Danville of either party?—A. About the time the canvass commenced they commenced to make informal complaints around, so much that I put a notice in the paper to this effect: That if any citizen of Danville knew of any violation of any town ordinance or anything, or anything about any officer, I would thank him to give me the information; that these informal complaints I had heard of were in such a shape that I could make no disposition of them.

Q. You say you issued a proclamation?—A. Yes, sir; in the paper. I don't remember what date, but my object has been and is yet to have a good government, and I have no other object in view.

Q. Can you give the substance of that proclamation, and the date of it?—A. I don't know that I can give you the date, but I can give you the substance. It was: If any citizen had any complaint to make, or a question of any violation in the town government, that I wanted him to give me that information; that I would see that it was executed, and the law enforced to its fullest extent.

Q. (Handing a paper to the witness.) Will you look at that and see if that is the notice?—A. Yes, sir; that's it. That's the piece I alluded to.

Q. It seems to be dated July 20?—A. Yes, sir; that's right.

[Register, July 20.]

PUBLIC NOTICE.

MAYOR'S OFFICE, DANVILLE, *July 20, 1883.*

Frequent complaints are made to me by citizens, white and colored, of alleged evils from which they have suffered at the hands of policemen and others in authority in this town, and I have invariably given these complaints a prompt investigation with intent to redress, to the extent of the mayor's powers, the evils complained of. But these complaints are nearly always informal, vague, and indefinite; or if not so have been found not susceptible of proof upon the evidence adduced, and were consequently not sustained.

It is my desire and purpose to discharge, to the full extent of the law and my ability, the duties of the office which the people of Danville have conferred upon me, and, to that end, I hereby invite and request every citizen, white and colored, who feels himself aggrieved by the conduct of any official, over whom the charter and ordinances of the town give the mayor supervision, to present their complaints to me at my office in a formal and definite manner, together with the evidence to sustain their charges; and I hereby warn every such official that whenever such charges are sustained, he will be dealt with to the full extent of the law in each such case.

Very respectfully,

J. H. JOHNSTON.

Q. Were there any complaints made after this notice?—A. Not one.

Q. Was this published in a Democratic paper?—A. Yes, sir; that is a Democratic paper. It is a Conservative paper.

Q. What was the point of complaint that you heard of in these informal complaints; that you had two colored municipal officers?—A. That was the bottom of the complaint. I don't think really there was any reason for complaint. As an illustration, I picked up the Lynchburg News somewhere about that date, and read an extract from the Danville Times giving an account of some negro woman knocking a white lady off the street, and saying, "Next time I meet you, you get out of the way, and save the trouble of being knocked off." As soon as I saw that I sent for the chief of police, and sent him to the editor of the Danville Times to get the information, for the purpose of having this party arrested, if such a thing existed. Boulden said he knew nothing about the facts; said he had heard it on the street, and had published it from rumors, but understood that Mr. Cobbs could give all the information on the subject. The chief of police came to me, and said he could get no information at all. I went to see Mr. Cobbs myself then, and Mr. Cobbs said he didn't know anything; that his wife was passing down the street one day, and a negro woman ran against her, but he didn't know whether it was accidentally or not, and upon investigation I found there was nothing in it.

Q. Were there any complaints made to you officially, or did you see any allegations in the public print, or otherwise, of assaults such as you mention—pushing persons off the streets, or insulting conduct?—A. I saw this in the papers, as I say. I didn't believe it when I saw it.

Q. Well, you traced that up, and found there was nothing of it?—A. I instructed the police force to watch out, and see if they could catch up such a case. If such a thing existed I wanted to know it; but they could never find such a case.

Q. No complaint of that kind was ever made to you officially?—A. None whatever.

Q. You are familiar, probably, with the circular called "Coalition Rule in Danville?"—A. Yes; I have a copy here.

Q. I wish you would look at that now and tell us whether the statements set forth in that circular are true or false, and you can state what are true and what are false.—A. I will just say this in regard to this circular: There is some little truth in it and a multitude of falsehoods.

Q. What is there true in it?—A. It speaks of the judge discharging

two of the magistrates. That's true; and as to the taxes paid by the colored and white people, I think possibly that is true.

Q. The statistical information?—A. Yes; I think possibly that is true. I am not well enough posted to say accurately.

By Mr. LAPHAM:

Q. That statement about discharging the two magistrates don't tell the whole truth?—A. Well, this circular is false; that's what this circular is. It is as false as falsehood itself.

By the CHAIRMAN:

Q. Go on and state what you know to be false.—A. I say they are all false but the three I allude to.

Q. Now, go on and point out such falsehoods as you know to be false?—A. Well, sir, I will take this:

Up to the session of the last legislature the town was not divided into wards, but voted as a single precinct; and in that way the council was generally kept in the hands of the white people. But the negro party, desiring to get complete possession of the town government, that they might share in the offices as well as levy upon the treasury of the whites whatever they thought proper, applied to the legislature and obtained an amendment to the town charter requiring that the town should be divided into three wards.

That part is not true.

Q. In what respect?—A. When this application was made to the legislature to have the town divided into wards the council was composed of Democrats. W. T. Clark, one of the signers of this circular, was the man, as I understand, who drew this resolution, and he forwarded it to Richmond to have it passed by the legislature. That paragraph is not true.

Q. The division into wards, then, was favored by the Democrats and was promoted mainly by Mr. Clark, who heads that circular?—A. Yes, sir.

Q. Then you say that that statement above his signature there is false?—A. It certainly is.

Q. Go on and state others.—A. It says:

Out of nine policemen four *negroes* were chosen—something before that time unknown to the history of the town.

That is false. There was only one police officer the first year.

Q. Had there ever been, previously, a colored man on the force?—A. No, sir; there had been colored councilman, but there had never been a colored police officer.

Q. Instead of four there was one?—A. One for the first year and two for the second year.

Q. Did you think that unreasonable where the negroes were in the majority of the population, that there should be two colored policemen out of nine?—A. I could not say it was unreasonable, but it has been a question in my mind whether it was policy. I think so now.

Q. Whether it was policy for the colored people?—A. Yes, sir; that's always been my opinion of the matter.

Q. Upon what grounds would you doubt the policy of it?—A. From the fact that I don't think the white people of Virginia are willing to be arrested by a colored man. I think bad results will follow.

Q. Then upon the point of justice it is clear there ought to be colored policemen?—A. On account of justice I have no doubt about it.

Q. But on account of prejudice, you think it best not to have them?—A. Yes, I think so.

Q. Because the white people would resist them?—A. Yes, sir.

Q. Would not that be a dangerous rule to apply in government generally?—A. It is a very dangerous rule.

Q. That the majority cannot have any voice in making and controlling laws?—A. Yes, sir. I don't say I approve it, but I only speak as to policy. I always advocate peace.

Q. You may go on and point out other falsehoods that you say you find there.—A. It goes on here and says that one of these was a health officer. That's the first time in my life that ever I knew a scavenger to be called a health officer. That is not true.

Q. Is that the name of the officer under your rules. Do you call him a health officer there?—A. No, sir. I say that is the first time in my life I ever heard it.

Q. That gives a false statement and a false coloring to a statement?—A. It does. Well, it speaks of twenty-four stalls at the market place and twenty of them rented out by the council to negroes. That is not true.

Q. In what particular?—A. There are not that many negroes who occupy stalls there, in the first place, to start with. In the second place those stalls are rented by the committee of the council at auction. You have the same privilege or right to rent as I have. If you have the most money you get the stall. It has always been the case. I was upon that committee and that is the way they rented them out.

Q. They were rented out to the highest bidder?—A. Yes, sir. This thing was gotten up for political purposes. It was not gotten up for facts.

Q. Was that known to the gentlemen who signed it?—A. I will state in justice to the men who signed this paper—there are some good men who signed this paper—I learned that a man named Westbrook did not know anything about it. Westbrook didn't read that. Williams said he carried the circular around to get the signers, and he said it was a long document, in manuscript form, and he didn't think any man read that circular, and I account for it in that way. There are men who signed this circular as truthful as any gentlemen.

Q. But they signed a paper containing falsehoods not knowing what was in it?—A. That's my version of it.

Q. Who is this man who admits that he circulated it?—A. Green Williams.

Q. Does his name appear to it?—A. No; he didn't sign it.

Q. What is his position?—A. He was a private citizen. They have made him chief of police since this riot.

Q. Was he a Democrat?—A. Yes, sir.

Q. A white man?—A. Yes, sir; and a very good man.

Q. An active politician?—A. Yes, sir.

Q. And he is now chief of police?—A. Yes, sir.

Q. He circulated the paper?—A. He carried this paper around in the manuscript form to get the signers, as he told me.

Q. Go on now.—A. It speaks of negro rule the next point. I don't know how a man can call it negro rule with forty-four officers and only nine negroes in the party.

Q. The negroes must be a very superior race?—A. There is something very superior somewhere. I have never learned to calculate that way.

Q. That you say is a falsehood?—A. It certainly is.

Q. Go on.—A. It goes on and speaks of the market and says:

The scenes about this important and attractive institution (attractive in all cities) will give any person visiting the town a fair idea of the general state of the government under the negro rule. The market, once occupied in all its stalls by polite white gentlemen, with their clean, white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves. The white men have been driven out and forced to take up private places for vending their meats and vegetables.

I don't think there is a microscope in the world with which you can go there and discover any difference in this administration and the one previous.

Q. The market is just as good as it was before and as clean?—A. I have had a good deal of experience in this country and traveled through twenty odd States and have observed things, and think the Danville market will compare with the markets all over the West and South; that is my idea of it.

Q. Then, it is not only a falsehood against the market but against the town?—A. They did themselves, the town, and every citizen there great injustice; that is the way I look at it.

Q. What means were taken then to clean the market?—A. We had water power; water to wash off every evening; there never was any neglect at all, never any complaint made to me, and I drive through there once a day going to my place of business, since I have been crippled and I have never seen any reason to complain; in fact, it is in better condition than it was years ago, because Market street has been widened and enlarged and more facilities for cleaning it now than we had years ago; it is in better condition in every respect.

Q. Proceed.—A. It goes on and speaks about the Mahone collector:

The council, which has the power of regulating the conduct of the market, is presided over by a carpet-bagger, J. B. Raulston, Mahone's collector of internal revenue for the Danville district, and the patronage of his Federal office enables him to control the council with the same undisputed power that the general does his party.

That speaks of the Mahone party controlling the council; I don't know to what extent the Mahone party would influence it; I suppose they have reference to Colonel Raulston; he is there like any other member of the council; had his influence and possibly had more than some other members of the council.

Q. Colonel Raulston has already given that in sufficient detail.—A. I know nothing against Colonel Raulston; so far as I know he is a gentleman who differs in politics with our people, which he has a right to do I guess.

Q. Is there anything in the conduct of Mr. Raulston as a member of the common council that would be a just ground of complaint?—A. None in the world, except voting for the negro policemen. That is a complaint, I understand.

Q. Well, he had to have these others voting with him?—A. Yes, sir.

Q. The majority of the council being Democratic?—A. Yes, sir.

Q. Was there any debate or division of opinion in them in regard to that matter?—A. I could not say. I was not familiar enough to give all the details.

Q. What next do you find in the circular?—A. It goes on to say—

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government, not one of whom has a dollar's worth of visible property within its limits.

I have examined the records. I notice that Dr. Temple and Mr. Lea testified to that. I find a majority of that council real estate owners, and I find that they are tax-paying men from fair to good and large means.

Q. Have you got a list drawn from the tax-duplicate there?—A. Yes, sir; I have.

Q. Please let me look at it [examining papers]. Then this contains the names of persons holding office there?—A. You see Mr. Blair's name is mentioned in more than one place, because he is interested in several stores. It is Blair & Co., Blair & Woolfolk, and so on.

Q. These are the names of gentlemen who were holding office under your administration?—A. Yes, sir.

Q. And this is a list of taxes paid?—A. Yes, sir.

Q. And their names are repeated because they belong to different firms?—A. Yes, sir.

By Mr. VANCE:

Q. Will you read the names of the different firms to save us trouble?—A. J. D. Blair (I got Batts from Petersburg), I. N. Jordan, J. C. Guerrant, Byro Lipscomb, A. Gerst, D. F. Batts, R. A. Arrington. Mr. Arrington pays \$600 taxes a year.

By the CHAIRMAN:

Q. That is seven out of the nine, is it?—A. I say the majority of them. Mr. Boisseau gave me this paper. I saw this testimony of Temple and Lea published in a paper stating that this power had drifted into non-property owners. I was astonished at it. The town of Danville owes Mr. Gerst to day \$10,000 in money. I was astonished to see this statement when those were the facts.

Q. You have named seven of the council?—A. There are twelve in the council.

Q. Do any of the negroes own property?—A. Lipscomb is a real estate owner.

Q. Any other of those?—A. Swann and Payne were not. Batts is in Petersburg. E. G. Beckner is another; he pays \$776 per annum on real and personal property tax.

Q. What does Raulston pay?—A. Raulston is not a real estate owner.

Q. Does he not pay a personal tax?—A. Oh, yes, a personal tax.

Q. What does he pay?—A. Thirteen dollars.

Q. I will place this statement of Mr. Boisseau in evidence.

I hereby certify that the following is a correct statement of all taxes assessed by me on real estate, personal property, and licenses for the year 1883, against the following persons and firms, viz:

Names.	State taxes.			Corporation taxes.			Total.
	Real estate.	Personal property.	License.	Real estate.	Personal property.	License.	
Arrington, R. A.....	\$17 60	\$ 56	\$324 50	\$50 60	\$2 04	\$272 00	\$667 30
Blair, J. D.....	24 60	17 74	.....	70 73	47 05	.....	160 12
Blair & Co., J. D.....	.....	.....	.....	.....	.....	44 74	44 74
Blair & Bouldin.....	2 48	.....	.....	6 51	.....	.....	8 99
Beckner, E. J.....	28 12	3 04	323 75	80 84	5 84	335 00	776 59
Batts, D. F.....	.....	1 55	.....	.....	2 01	.....	3 56
Blair & Hutchings.....	6 00	.....	.....	17 25	.....	.....	23 25
Gerst, A.....	.....	3 40	.....	.....	6 65	.....	10 05
Gerst, E. L. & A.....	54 00	11 00	.....	155 25	31 63	.....	251 88
Gerst Bros.....	.....	80 00	.....	.....	.....	.....	80 00
Geurrant, J. C.....	.....	6 96	.....	.....	16 81	.....	23 77
Johnston, J. H.....	40 60	4 14	.....	116 73	9 45	17 00	187 92
Johnston & Co., J. H.....	.....	40 00	.....	.....	.....	179 95	219 95
Johnston & Abbott.....	.....	20 00	.....	.....	7 50	78 62	106 12
Johnston & Garner.....	3 40	.....	.....	9 78	.....	.....	13 18
Jordan, T. N.....	5 20	4 52	.....	15 52	10 55	.....	35 79
Lipscomb, Byrd.....	1 50	1 33	.....	4 31	1 37	.....	8 51
Lea, Geo. A.....	.....	2 39	.....	.....	4 12	.....	6 51
Payne, Julius A.....	.....	1 22	.....	.....	2 27	.....	3 39
Payne & Jones.....	.....	.....	5 00	.....	.....	10 00	15 00
Robertson, Jno. S.....	.....	1 98	.....	.....	3 24	11 97	17 19
Raulston, J. B.....	.....	2 60	.....	.....	5 03	.....	7 63
Redd & Jordan.....	.....	.....	256 16	.....	.....	261 37	517 53
Ruffin, Woolfolk, & Blair.....	16 00	1 92	115 00	46 00	5 52	327 34	511 78
Swan, H. W.....	.....	1 48	.....	.....	1 81	.....	3 29
Temple, B. B.....	.....	3 58	25 00	.....	7 84	20 00	56 42

Respectfully submitted.

WM. E. BOISSEAU,
Com. Revenue.

OFFICE COMMISSIONER REVENUE,
Danville, Va., February 23, 1884.

DEAR SIR: In obedience to your request, I herewith furnish you with a statement of all the taxes assessed by me on real estate, personal property, and licenses against the persons and firms named by you.

Hoping the information may be satisfactorily given, I am, very respectfully,
WM. E. BOISSEAU,
Commissioner Revenue.

Hon. J. H. JOHNSTON,
Mayor Town of Danville.

Q. Who is Mr. Boisseau?—A. He is the commissioner of taxes.

Q. He is a State officer, is he? He signs his name down at the bottom?—A. Yes, sir.

Q. Are there any other misstatements in the circular?—A. Yes, sir. The reason why I got this statement was, I noticed that Dr. Temple and Mr. Lea had made this statement before this committee. You will find that Lea pays \$6.51 a year—the man who stated that the government had gotten into their hands—and Dr. Temple pays \$56. That includes his license, &c.

Q. How much tax do you pay?—A. I am not in the habit of speaking of my business myself.

Q. You have no objection to saying what you pay as taxes?—A. I would rather not do it.

Q. That is a matter of public information.—A. I pay about \$900.

Q. Then you are not quite so bad off as it appears?—A. Well, I have kept out of the poor-house.

Q. Are you a real-estate owner there?—A. Yes, sir.

Q. And have you business besides?—A. Yes, sir; I am a tobacco manufacturer, and I am also a partner in a leaf house. I run a tobacco house.

Q. What control had the Federal office holders over the government of your city?—A. What Federal officers do you mean?

Q. How many Federal officers were there in the council or city government connected with it in any way?—A. None, except Colonel Raulston.

Q. Was there not one or two of the councilmen that were clerks?—A. At the time that Payne and Batts were elected to the council Payne was on the market doing business as a huckster, and Batts, I think, was a clerk in the custom-house.

Q. Were there any other Federal officers connected with the city government during your time?—A. No, sir.

Q. These two you mention, they were only there towards the latter part?—A. Yes, sir.

Q. They were not there when you were first elected?—A. No, sir.

Q. Go on and state any other matter in that circular to which you wish to call our attention.—A. Here it speaks of the police force and court being a scene of perpetual mockery and disgrace, and speaks of Jones as being the most prominent man.

Q. What about the police force being a perpetual disgrace? Were there any complaints made about the police force?—A. None. The town of Danville, I think—and I have lived there fifteen years and was born within 23 miles of the place—the town of Danville is as well policed as it ever was. It would seem from this that Jones, a negro magistrate, tried all the cases, but the police records would not sustain that. The police records show every case, who tried it, whether Jones, Luck, or Lea.

Q. There were two Democratic justices and one Republican—two

white men?—A. There were two white justices and one colored and I made three. The mayor tries cases in Danville.

Q. The mayor has jurisdiction, I suppose?—A. Yes, sir.

Q. Then there are three white men and one colored who have the power to try cases?—A. Yes, sir.

Q. How is the proportion of cases before these justices?—A. I ran through the police justices' book to see. Luck tried more cases than any other magistrate there, decidedly more.

Q. He is a white man?—A. Yes, sir. Well, he is a boy, a young man, of good sense, fine ability, but he was addicted to bad habits, drinking, and such as that. That is the only trouble I know of.

Q. Is he the one who got into trouble?—A. Yes, sir; whisky brought him there.

Q. What is the standing of the colored justice, Jones?—A. Good.

Q. Have you ever heard complaint of him?—A. Yes, sir; some complain of any magistrate. I have heard a great many white men say they would rather the negro tried them than a white man. In justice to Jones, I have never seen him render a decision that I thought he had any prejudice; I thought he acted upon conviction in his cases all the way through. He was the hardest "finer" of the party; he would fine you more.

Q. His punishment was more severe?—A. Yes, sir; more severe as to fines. If I had to be tried, I would rather somebody else would try me on that account.

Q. Well, then, proceed.—A. Here is another instance:

The officials of the court, justices, and policemen, co-operate in the work to make fees, and every act, or word, or deed of the citizen, whether atrocious in its character or too frivolous for the law to take notice of, is brought before a justice, and the party, if not fined, is required to pay the costs; and if there is more than one party the cost is doubled, and both parties made to pay costs. White men are arrested for the most frivolous acts by negro policemen and borne along to the mayor's office, followed by swarms of jeering and hooting and mocking negroes.

Q. Is that true? Did any case of that kind occur?—A. Never come under my observation. If I had caught a man I would have had him arrested quick enough.

Q. Was any complaint made of such a case to you?—A. No, sir. It speaks of two of the magistrates being removed. That's true.

Q. The reasons have already been stated. I will ask you whether the two men removed were not appointed before your administration commenced?—A. No, sir. One of them was elected at the same time I was elected. The other one was appointed to fill the vacancy of Mr. Robinson, who resigned.

Q. Was not one of them elected in a Democratic ward; I think it was Luck?—A. Yes, sir. They have a Democratic majority in that ward.

Q. Was he a respectable man until he became a victim to evil habits?—A. A very respectable boy. He was a boy that Judge Aiken indorsed, and the best people in his ward indorsed him, or he could not have been elected.

Q. But he got into bad habits?—A. Whisky brought him just where he was.

Q. Now, what would be the natural effect of that statement of falsehoods, if they were believed, upon the people of Virginia, upon any white man; say, especially, a white Democrat, who would read that, believing it to be true?—A. Why, sir, if I were to read such a circular as this coming from the town and believed it—I don't think I could believe such a thing.

Q. But if you did believe it, what would be the effect upon your mind?—A. I would be for burying that party mighty quick.

Q. Wasn't it so designed and intended?—A. Oh, that evidently was the purpose.

Q. If such a statement as that was made of the city under Democratic control what would you, as an independent voter, think of such a city?—A. I would vote against any party, I don't care who they were, that would carry on such a government as this represents.

Q. And yet you say this circular is false in all the particulars you have given?—A. I do.

Q. And others?—A. I do. The circular in one place, for instance, alludes to tobacco. I am a tobacco man, and have always been all my life. It speaks about tobacco leaving in the close region of Danville and going to other markets on account of this government. Our receipts show in Danville, by the secretary's books, that Danville handled more tobacco last year than she ever handled before; bought more. I know that from the books. What that circular represents here about her tobacco market is utterly false. The general prosperity of Danville was good last year in all departments. The people all made money. You will find it from the income tax. It shows it; I have examined it myself.

Q. Have you a State income tax there?—A. Yes, sir.

Q. Now turn to another subject. Do you know of any resolutions of ostracism passed by the Democratic clubs of Danville; and, if so, what?—A. Young Snead came out of a Democratic club one night, captain of the fire department, he says, "A resolution passed a little while ago that I never thought would tell in any free country." I asked him what it was. He says, "Captain Graves offered a resolution in the First ward"—I don't know as I can give you the words, but I can give you the substance of it—"that they would not patronize, or recognize, any man who would not support the Democratic party." I said to him, "Snead, that can't be possible." He said, "They certainly passed it." Mr. J. E. Schoolfield got up and made a speech in behalf of it. I didn't know what to think of such a thing; it was something unusual. I never heard of such a thing in Virginia before.

Q. When did Snead say this?—A. I think it was some time in the latter part of August, possibly in September; I couldn't say; just before election.

Q. Did you hear Mr. Covington say anything about ostracism?—A. Which Covington do you mean?

Q. I am not sufficiently familiar to state—any one by the name of Covington.—A. There are two Covingtons. I have never heard either one of them say anything directly. I heard Jim Covington speaking of some inflammatory speeches that were made in the wards; he said he didn't approve of them. He is a Democrat and a member of the wards. He told me he was a Democrat, but didn't indorse these extreme measures.

Q. What were the measures he said he didn't approve?—A. Why, denouncing people.

Q. Do you know of any persons who in consequence of this ostracism, &c., sent their families away on account of anticipated troubles?—A. Yes, sir; Mr. Covington told me he was going to move his wife to North Carolina; didn't want them to be there on the day of election. I asked him what objection he had to that. I knew Mr. Covington to be a man of nerve and not excitable.

Q. He was a Democrat and a white man?—A. Yes, sir. When he

made that statement to me I knew there was something in it, because I knew Jim Covington was a brave man, a cool man, and he was not moving his family out of Danville for nothing; and I felt an anxiety to know what his object was. I apprehended trouble.

Q. What did he say to you about it?—A. He said he didn't want his wife and children to be there on the day of the election; and I said why, and he said he didn't want them to be there. I suspected his reasons, but I saw he was not inclined to tell me what he really thought.

Q. That is all he said?—A. Yes, sir.

Q. Do you know whether Mr. Lea sent his wife out?—A. I only heard he did. I heard that he and several others had, but I don't know that to be true.

Q. But Mr. Covington you know about?—A. Oh, he told me that himself.

Q. Do you know anything that was said by Mr. Cabell in this connection to the chief of police?—A. Yes, sir. I got up on the streets some thirty minutes, I reckon, after the shooting was over. I was up home lying down at the time, and my little girl ran up to me and said there was a shooting down street; and I ran down and found Colonel Cabell was taking a very active part trying to quiet these men—some three hundred men; I don't know but more, running up and down street with guns, pistols, and Bowie knives. I recognized his head and hands trying to quiet them, taking a very active part; and some ten or fifteen minutes after that I had sent the chief of police down to tell the Douglass Guards not to come out. Some said if they came out they would "kill the last damn one of them."

Q. That is the colored company?—A. Yes, sir. I thought it was not prudent to bring them out. I ordered the other company out, and when Hall came back Colonel Cabell, who was standing by him, he said, "Young man, make yourself small. Now, I have just kept the crowd from mobbing you; just now."

Q. Who did Colonel Cabell say that to?—A. To Hall, chief of police

Q. Was Hall a colored man or a white man?—A. A white man.

Q. Do you know of any other acts of ostracism, or withdrawal of patronage besides those you have stated that occurred about that time. If so, state particulars.—A. Oh, I heard of these things all around town; but you would hear it as a rumor; I don't know it to be a fact.

Q. Was it the general understanding among the people there that they were to be ostracized, the Readjusters were to be ostracized, for their political opinions?—A. I think that was the understanding with these extreme fellows, the Democrats in Danville.

Q. There was an element there in favor of that?—A. Yes, sir; but there were other Democrats there more quiet, who did not approve that course. It was a very severe canvass, and they resorted to a great many plans to succeed. In Danville, I reckon you know, the negroes have some 300 Readjuster majority and their party has to resort to something outside the ballot-boxes to beat them.

Q. Were you in Danville in the political canvass preceding the election?—A. Yes, sir.

Q. What was the general character of that canvass on the part of the Democrats?—A. Very severe.

Q. In what respect?—A. In just this respect. They were hunting up every man they thought there was any doubt about. Men complained to me that they had gone to their employers and threatened to have them turned off. A man named Smith said they told him—he said he was twenty-one years old, and thought he was old enough to know, but was afraid to express himself.

Q. What kind of meetings, secret or open, did they have?—A. They had regular meetings in the armory three nights a week.

Q. Three nights a week?—A. Yes, sir.

Q. Is that in the place where the arms were kept?—A. Yes, sir.

Q. Who was admitted into these meetings?—A. The Democrats, I judge; I never attended any of them.

Q. Were Coalitionists or Readjusters or Republicans invited to these meetings?—A. I don't know anything about that. I don't suppose they were, though. I heard of some styled the "citizens' conference," others called it the "vigilance committee." I would get this information indirectly, and sometimes from the police officers. I didn't think there was such an organization in Danville, and I apprehended some danger. For two or three weeks before it occurred I had reason to suspect, because I was getting information from parties whom I considered reliable, so I undertook to find out what this "citizens' conference" party was, what was the nature of it—the "vigilance committee"—but I never could succeed in finding out what it was and don't know yet, but parties, such as Judge Green, think——

Mr. VANCE. Never mind that.

By the CHAIRMAN:

Q. Well, you can state whether there was, in fact, such a secret organization, called there the "vigilance committee," or some other name.—

A. I will state this: these same men, Mr. J. M. Covington, in alluding to an inflammatory speech which Judge Aiken had made on one occasion, I asked him if he heard it. He said no; he was not present; that he had not attended the club meetings regular, but attended the citizens' conference regularly. I asked him what that was, and he declined to tell me. Of course, if there was anything of that sort on hand, I was the last man they were going to let know it.

Q. But he told you, though, he attended the citizens' conference?—

A. That he attended that regular; that was the reason he gave for not attending the club meetings.

Q. Did you ask him what it was?—A. Yes, sir.

Q. And he declined to tell you?—A. Yes, sir.

Q. What was the course of conduct of the canvass by the Coalitionists?—A. They got scared about thirty days before election came off. The impression got out among the negroes that if they went out to the polls they were going to get shot. They frequently met me along the street going to the office, and asked me what all this shooting meant. I told them it didn't mean anything; "It is just done to bulldoze you fellows. You will be allowed to vote just as you always have done." You could hear men say, "We are going to carry this election; if we can't carry it one way, we are another." I didn't look upon it as anything.

Q. Did the Coalitionists register pretty regularly?—A. Oh, yes, sir; they were alive up to getting their full vote in, but they were uneasy all the time.

Q. If all that had registered had voted that time, what would have been the result?—A. I think the Coalitionists would have carried it by 300, probably.

Q. Was that generally understood in Danville, if there was a full vote of those registered that the Coalitionists would have 300 majority?—

A. There were different opinions about it. General Hurt, who ran for the State senate, came to me one day and asked me what would be the

result in Danville. I told him I thought they would beat him about 250 votes, but if you saw another man he might say 350.

Q. What did Mr. Hurt say to that?—A. He asked me if I didn't think more than that. I told him no, I thought not.

Q. Did you hear any violent threats or language from any party before the election?—A. I can't say I heard any direct threats. I became convinced in my mind, from what I could catch up from the police officers and other parties, that there would be trouble there on the day of election, and I went to work to make my arrangements to meet it, but the trouble came off earlier than I expected. I had already selected special constables for the purpose of them selecting a dozen or so each extra police, making some fifty extra. I had spoken to both captains of the military companies there, saying to them that I apprehended trouble.

Q. Did you hear during that time any white Democrats say that they would carry the election by one means or the other?—A. Oh, you could hear that any time, but, as I stated in the outset, I looked upon it as a mere plan of bulldozing electioneering, until about a week before the election, when I concluded different, and my reason for it was this: Of course every man has his personal friends as well as political friends. This T. J. Corbin, who is a member of the Democratic party, sent me a message, "There is going to be a row in town," says he. "You keep out." I asked Coleman what they meant by that. Says he, "I asked Corbin that myself"—

Q. Who was that to?—A. The message was to me.

Q. The message was sent you by Mr. Corbin?—A. Yes, sir; "There's going to be a row in Danville," and for me to keep out. I knew Mr. Corbin well, and I thought there was something in that, and I asked Coleman what it meant.

Q. Coleman brought this from Corbin to you?—A. Yes, sir; but you see I had other messages before that; had warnings.

Q. Were both Coleman and Corbin white Democrats?—A. Yes, sir; certainly.

Q. Was Coleman an officer in any way?—A. No; just a friend of mine.

Q. Was Mr. Coleman a Democrat; did he belong to that party?—A. Oh, yes, sir.

Q. I suppose his declaration would be counted.

Mr. VANCE. A Democrat in San Francisco would answer just as well. He could bind the party by his declarations just as well as any other man in Danville.

The CHAIRMAN. I think the declarations made by either side would throw light upon the character of the election.

Mr. VANCE. Of course it would if the investigation is to proceed that way, but if it proceeds upon legal principles it is certainly out of all character, that a man got a message from another man, and that another man had sent him a message.

The CHAIRMAN. It seems to me that what Coleman says to this witness, if Coleman himself is one of the parties, would be competent.

Mr. VANCE. That is to treat the whole Democracy as engaged in a conspiracy to kill those negroes.

The CHAIRMAN. To control the election *nolens volens*.

Mr. VANCE. Now, it is a rule of law, in order to admit the declarations of the party you must first prove he is in the conspiracy, and then his declarations against his complotters or confederates, but to make use of some outside declarations made to the man who is not proved to have been in confederation is entirely out of the question.

The CHAIRMAN. Mr. Coleman is the gentleman who admitted he was a member and attended the citizens' meeting.

The WITNESS. Oh, I know he is a Democrat; I have heard him express himself.

The CHAIRMAN. I think it is part of the *res gestæ*.

The WITNESS. Oh, he is no Readjuster.

The CHAIRMAN. That is a Latin phrase concerning the circumstances connected with the matter. Go on.

The WITNESS. He came to me and said he had a message from T. J. Corbin for me; he says, "Corbin says there is going to be a row in Danville, and for you to keep out;" I says, "What does Corbin mean by all that," and he says, "He said to tell Johnston, who is a personal friend of mine, to keep out." My partner, Mr. Abbott, who is a member of the same club, he says, "You take my advice and don't go about there."

Q. He is your partner, a lawyer, and a member of this club?—A. Yes, sir; he would say it every morning, until finally I got a little disgusted; says I, "I am not afraid of anybody attacking me; I don't take any stock in this election, and I am getting tired of your coming into the office every morning and telling me people are going to attack me; but I have got a duty to perform and I am going to perform it without regard to consequences;" but he seemed to have great fears that I was going to be shot. He said he knew there was going to be great trouble. That is as far as he would go. That is the reason I got these extra police.

Q. You had organized the police in anticipation of trouble on the day of election?—A. I had not organized it, but had this plan and had these extra sergeants notified to come on Monday with their extra men, and this thing occurred on Saturday previous to that.

Q. Were you in Danville on the 3d of November?—A. Yes, sir.

Q. Where were you at the time of the riot?—A. I was up home, lying down, at the time.

Q. What did you do about the riot?—A. I got down some twenty or thirty minutes after the shooting was over. I found Colonel Cabell taking a very active part, trying to quiet the people, and but for his influence I think they would have torn things up generally. That is my impression; they were perfectly crazy—desperate.

Q. Was there, within your knowledge and observation, prior to this 3d day of November, any preconcerted movement on the part of members of either party to bring about a riot or disturbance?—A. I have been afraid to believe that the Democrats were going to play what they call "Mississippi" on them—give them a shot or two on the day of election.

Mr. VANCE. Mr. Chairman, did you ask for the witness's belief or for facts?

The CHAIRMAN. I asked for a general statement of the fact whether there was a preconcerted movement on the part of either party to bring about a disturbance or riot, or whatever you call it, on that day.

The WITNESS. I was under that impression, and that was my reason for getting this extra force ready.

By the CHAIRMAN:

Q. What other facts do you know?—A. Policeman Cobbs reported to me that Henry Wood said he was detailed, one of twenty-five, as an armed man to go to the polls in the first ward.

Q. The policeman reported that to you?—A. Yes, sir; and I says, "Who did he say detailed him." And he says, "He didn't say."

Q. One of a committee of twenty-five to attend at one of the polling places?—A. Yes, sir; he was to get his gun at John Farrell's. And I said, "You go back to Wood casually and find out who details him and find the whole substance of this." I was calculating to have Wood arrested and the party who detailed him if I could find out who he was, and that is my reason for sending this police officer back to find out who was telling him to go to the polls with twenty-five men, but when Cobbs went back to see him he declined to tell him anything. I suspected then, and then another thing made me suspect, that something was out——

Q. That fact was reported to you officially?—A. Yes, sir; certainly it was.

Q. Another circumstance that led you to believe, was what?—A. I could not remember everything; a great many things were said to me tending in that direction.

Q. Do you know anything about where the arms were kept, or did it come to you officially as to where the arms were to be found?—A. No, sir.

Q. Had you any information about arms being brought into the city?—A. No; not at the time they came there, but I learned a great deal about people buying pistols; and when this crowd was on the street they seemed all to have new arms.

Q. The 3d of November?—A. Yes, sir; they kept control of the town.

Q. About how many do you think you saw armed?—A. All over town?

Q. Yes, on the evening of the 3d of November.—A. Two hundred and fifty or three hundred, I guess.

Q. What were they armed with?—A. Some shot-guns, some with pistols; I saw some police with Bowie-knives; they circulated all over the town that night and they were just as bad Sunday as they were on Saturday; I reckon there was five hundred Sunday.

Q. Is not that against the law to carry arms in Virginia?—A. Concealed weapons, you mean?

Q. Yes. Were these concealed or not?—A. No; they had them on their shoulders.

Q. Had there been any efforts made by the authorities there to prevent the carrying of concealed weapons?—A. Yes; I frequently have to fine a good many parties myself; but I have no doubt that every man in Danville has a pistol in his pocket.

Q. Every man, white and black?—A. I don't know whether the blacks have them so much. They are more on the razor order.

Q. The whites, you say, are generally armed, and were at that time?—A. Oh, yes. I think there are very few men there, from what information I can get, that don't have a pistol of some kind. Now, take Judge Keene, a man who has occupied a high position certainly there, a first-class lawyer, a gentleman in every respect, he sat in his office one day and told me he had bought a pistol; I was astonished, and said, "Judge, what are you going to do with a pistol?" He said he looked for trouble and was going to take care of himself.

Q. He was a leading citizen and lawyer?—A. Yes, sir.

Q. How old?—A. About forty-five years, I guess.

Q. The white people were generally armed?—A. That is my impression.

Q. I will ask you after these efforts were made to enforce the law about carrying concealed weapons, whether the colored people did not abandon the use of them?—A. I could not say that.

Q. Did you see any colored people on the street after you came down?—A. Very few; they had gone away as quick as they could.

Q. Did you see any colored people armed after you got down there and before the election?—A. I didn't.

Q. Could a colored man appear armed there on the street?—A. He would not have staid there long.

Q. Any time after the riot?—A. If a nigger had come out there with a shot-gun there would have been a million holes through him.

Q. Was that the reason you would not allow the colored company to come out?—A. Oh, I knew they would kill them, and they told me so. Colonel Cabell assisted me very much for which I am very thankful. A man came up and said, "If that damn company comes out we will kill the last one of them"; they would have done it, too.

By Mr. LAPHAM:

Q. Although they were a company organized under the laws of your State?—A. Yes, sir; I know it was violating the law, but there is a time——

Q. Yes, but they were a legal organization?—A. Certainly, had the same right under the law as the other company, but I was doing what I thought was best for the community. I wanted to save the community, and I was willing to resort to most any measures to get order and quiet. Any reasonable measures.

By the CHAIRMAN:

Q. Did you hear the speech of Colonel Sims on Friday night?—A. I did, a portion of it.

Q. What was the character of it as to the advice given to the colored people in regard to behaving themselves?—A. I didn't hear all the speech. A son of the sheriff, Wood, came around to the police and said Captain Graves had gone round with his squad and they were very much excited; I went to see Captain Graves—I had known him from my boyhood—and asked him if I could have a talk with him; he was very excited, and I walked out with him and I said, "I fear trouble; I am a personal friend, now, of you and Sims both; if you will go up on the stand with me I could do justice without trouble." I said to Captain Graves I was a personal friend of both parties, and if he would go up with me on the steps we could adjust it without trouble. I knew him well and knew Sims well, and felt I could make peace between the two, and did not want to see a row. He said no, he wasn't going anywhere, wouldn't submit, and went right off abruptly. Then I heard the balance of the speech; he had got about half through the circular, taking section by section.

Q. What did he say to the negroes about their behavior toward Democrats?—A. I don't think he said anything. Well, he alluded to them; he said, it was said that they would not be allowed to vote; that they had the same right under the Constitution of the United States to vote; to go on and vote; go there peacefully and vote; that's my understanding of his advice to the negroes.

Q. What did he say about conducting themselves toward the Democrats, whether peacefully or not?—A. He did not give any advice. His advice as to the negroes' conduct was not——

Q. Not objectionable?—A. No, sir; not at all. He was giving the signers of that circular "Hail Columbia."

Q. That is, his remarks were made personal to the signers?—A. Very.

Q. That they signed a lie?—A. He was very severe.

Q. Did he speak of them as citizens or only as signers?—A. Oh, as signers. He said no brave nor no honest man would sign such an infamous document as that.

Q. That is the character of denunciation; not as to whether they were good citizens, or Christians, or anything, but only as to signing the circular?—A. Yes, he was very severe on those people. Some of them were personal friends of mine, and I was utterly astonished when I found their names attached to that circular. There are good men who signed that circular, and I can't believe they signed it knowingly. I am willing to credit them with being men of too much honesty for that.

By Mr. LAPHAM:

Q. Well, they exposed themselves to imputation by doing it?—A. Well, I don't believe they would sign it now.

By the CHAIRMAN:

Q. I will ask you whether the tendency of the speech of Colonel Sims was not to excite resentment against him?—A. Certainly.

Q. Was there anything to excite resentment against the colored people?—A. Not that I know of. If I had been one of the signers I would have held him responsible.

Q. Did the colored people misbehave themselves any way in the meeting?—A. I can't say they did. For instance, he would read a clause and say, "Now, everybody knows that's a lie," and hold it up, and you would hear cheers from the negroes. He held it up and said it was the most infamous document ever published in the Commonwealth of Virginia; that no honest or no brave man could ever sign such a statement.

Q. Is not the statement that it was a most infamous document ever issued in Virginia true?—A. It is the severest thing I ever saw in Virginia; I don't know what has been done in Virginia.

Q. So far as you know, though, it is the worst document you have ever seen?—A. It certainly is.

Q. Describe what occurred in a few days after the riot; what did you do?—A. Oh, I could not do anything except walk around town among the police with arms; I was helpless.

Q. Was civil law practically suspended?—A. Oh, yes.

Q. What did you do?—A. Judge Blackwell and myself just walked around over the town together. We would find ten or fifteen men at every corner, on horses, cavalry, they called them, parading the streets.

Q. Did they practically take control of Danville?—A. Yes, sir; they were there they said protecting their property, but I couldn't understand that, because the negroes, those that had not left town, had gone somewhere; they could not be seen, and I could not understand why they were parading the town on horseback, and I could not see any sense in it, nor any reason in it, and I talked with Judge Blackwell about getting them off, and I telegraphed to Cameron, the governor, for troops, as we had no force to get them off. Judge Blackwell and myself went to Colonel Cabell on Sunday night, and the reason of that was, when I saw Colonel Cabell on the street trying to keep order, I ran up to him and told him that anything he would do to suppress this party I would indorse. Blackwell knew that. He says, may be Colonel Cabell has ordered these people to go around the streets. I said, no; I was getting letters from leaders of the town begging me to get these men off the streets; and so I went to Mr. Cabell, and as soon as I saw him he said no, he did not take any part after the thing was over, and he had not

taken any part since the thing was over, and we started off. I suppose we got 75 yards from his gate and we were arrested.

Q. Who by?—A. By a posse of about ten men. We were on the opposite side and heard somebody holler "Hello!" It was a pretty dark night, I looked over to see what it was, and they came down, and when they saw who it was they arrested—a young man named Moses seemed to be leading—as soon as he discovered who he arrested they were for getting away. I then ordered them to disband, and told them they had no authority on the streets. They said they were there by order of Sheriff Wood. I said, "Wood has no authority, I am mayor myself, I order you to disband." I then went to Captain Wood, and he said he had not sworn in anybody.

Q. Then they were unauthorized?—A. Certainly they were. I then went through to Grove street with Judge Blackwell, and we found before we got to Patton street, I reckon, about twenty-five, just like soldiers in camp. That was at 11 o'clock at night. I just went on to Grove street and found things the same way there. Then walked out Green street towards the cemetery. They were all over the town.

Q. Were they all armed?—A. All of them; yes, sir.

Q. Did this continue through Sunday?—A. All day Sunday, and Sunday night I issued a proclamation.

Q. I wish you would give me a copy.—A. I had gone around and seen a good many good citizens, who were very much disgusted, and I issued that. It didn't come out as early as I expected. The most of them got off the street. I found a few Monday night, not so many, though. When we got our regular force and extra force combined we got things sort of ship-shape.

Q. That is on Monday?—A. Yes, sir; you might say 3 or 4 o'clock. Here is a copy of the proclamation:

(The witness presented the following paper:)

PROCLAMATION.

MAYOR'S OFFICE,
Danville, Va., Nov. 5, 1883.

To the people of Danville:

All good citizens deprecate the present disturbed condition of our town, and earnestly desire the restoration of peace and good order. For the promotion of their so proper wishes I have appointed eleven special constables in each ward, who will be under the command of chiefs, as follows: In the First ward, Capt. Harry Wooding; in the Second ward, J. M. Covington; in the Third ward, P. H. Boisseau. The special constables in each ward have been appointed upon the recommendation of their respective chiefs and are all reliable men. And I have also called into service the Danville Grays as the military coadjutors of this special constabulary. This arrangement will go into effect this day (Monday) at 10 o'clock a. m.

So complete and reliable is this arrangement for the preservation of peace and the protection of the town, that I feel fully warranted in assuring my fellow-citizens that peace and good order will be maintained, and I therefore call upon all good citizens to resume their usual avocations; to cease appearing upon the streets armed with shot-guns or other weapons; and thus, and by quiet conduct and conversation—"the things which make for peace"—aid and assist me and the other authorities of the town in restoring peace and good order, as all good citizens should do.

J. H. JOHNSTON, *Mayor*.

Q. What was the character of the newspaper articles and Democratic speeches about that time?—A. The Danville Times was very severe, of an incendiary nature. The Register is a conservative paper.

Q. Have you any of them?—A. I have none of the papers. I would say that my attention would be called frequently to pieces in there that I thought would eventually bring about some trouble.

Q. They were of an incendiary character?—A. Oh, yes, sir.

Q. If you have any extract or any published statement of the Danville Times I wish you would give them to the reporter.—A. I am not a subscriber to the paper and don't know of any way in which I could get them. My clerk takes the Danville Times and that is how I got to see it.

Q. You haven't any?—A. No, sir.

Q. What was the character of the Democratic speeches made in Danville about that time in regard to Coalition officers and municipal government?—A. I went to very few meetings. I went to hear John Wise, and I went to hear Hurt and Keene on one occasion. With that exception I believe I heard no political speeches. I kept out; did not take any part in this election. I can only tell you from what I heard, rumors.

Q. What did the Democrats say to you about it?—A. I heard Democrats say that they heard some speeches they did not approve; that it was extreme, bad results bound to follow. Mr. Covington told me that.

Q. What do you know about the mob that threatened the murderers of Sheppard? What do you say to that?—A. It was the latter part of August. There was a mob organized in Danville for the purpose of lynching what were known as the Sheppard prisoners. They had been put in the Danville jail temporarily to be removed to Chatham. The sheriff came to remove them on the 10.30 train. I was informed that this mob was being organized for the purpose of taking these prisoners, and told him what information I had gained. He said if that was the case he would not remove the prisoners that night. The mob organized just the same and went on out five miles from Danville, to what is called Hill Creek, I believe. There they attacked the train, took possession of the train; they were disguised, some one hundred and fifty, and when they attacked the train, took charge of it, they found the prisoners was not on it.

By Mr. VANCE:

Q. Were you there?—A. No, sir; I got this from the conductor and gentlemen on the train.

By the CHAIRMAN:

Q. You had better come to that part which you know about.—A. I will state, then, that I received a telegram from the conductor that the mob had attacked the train in pursuit of these prisoners, "Look out in Danville; they are going to break the jail;" I called out the police force and the military companies and went to the jail about 1 o'clock in the morning and sent out videttes to find out the facts. The information I received was that after they got about a mile of town—it was then about an hour of day—they consulted there and found that we were so well fortified and had such an amount of force they declined to attack the jail, and so they commenced coming into town in squads of four to six. All of them didn't get in until nearly sunup; their horses had evidently been in a very dry country, full of dust and perspiration; one or two of their horses got away and came to town with bridle and saddle on, and we captured these horses.

Q. What did they do?—A. They disbanded about day over what we call Walker Hill and came in town in squads of six. I kept the military force on all day, and Mr. Ogle, the sheriff of Pittsylvania County, carried off the prisoners next morning. Some of the same men who were in that party constituted the men who committed this shooting down town.

By Mr. LAPHAM:

Q. For how long were you elected mayor?—A. Two years; my time will be out in 1884.

Q. You never have been elected but once?—A. No, sir; the election don't come off until next May.

By Mr. VANCE:

Q. In describing the city government and enumerating the inaccuracies of the circular, you say that Talliaferro was the city scavenger?—A. Yes, sir.

Q. And you never heard him called the "health officer" before?—A. No, sir; I never heard that.

Q. Is not his office designated in the City Directory as a sanitary policeman?—A. I believe it is.

Q. Now, how is that an inaccuracy to be called a health officer?—A. I don't so construe it. The inference I drew from that is that he is the physician. Dr. Paul Irving, as nice a gentleman as lives in Virginia, was the city physician.

Q. You stated that seven of the men on the council were Democrats?—A. Yes, sir. Colonel Raulston is the only man on the council, a white man, that I recognize as a Republican.

Q. Name the Democrats, please.—A. I will take Becknor, Robinson, Arrington, Gurrent, Blair, Gurst, and Jordan. Those are Democrats; at least I have always understood them to be Democrats.

Q. There seems to be some confusion in the political classification down there. Were these men not elected on the Coalition ticket; these first three you mentioned?—A. What three is that?

Q. Becknor, Robinson, and Arrington.—A. Oh, yes; Mr. Blair and Mr. Gurst were elected on the Coalition ticket.

Q. They did not run as Coalitionists, did they?—A. I suppose so. They ran; they got on the ticket. I don't know what they call themselves. It has always been customary in Danville since the war, and there never was a day when they could not control the election.

Q. Well, what ticket did those gentlemen vote—Arrington, Becknor, and Robinson?—A. I am not prepared to answer that question, because I don't know.

Q. I suppose you can answer that question as you have answered a great many others, from information?—A. I have never heard the question discussed before.

Q. Were they not known as Coalitionists, co-operating with that party?—A. Well, yes; I think so.

Q. They were Readjusters, were they not?—A. No. Mr. Becknor was not a Readjuster, I know. I don't know as I ever heard Mr. Arrington alluded to as a Readjuster. Becknor was not, I know.

Q. They were what was called Coalitionists; that was understood, wasn't it?—A. Yes, sir; there was a combination formed, styled the Coalitionist ticket.

Q. Yes; composed of Republicans and Readjusters?—A. Not all Readjusters, because I was never a Readjuster, and I was on that ticket.

Q. You said you were not a Democrat?—A. I did not say that.

Q. You said you were styled a Democrat, but an Independent?—A. I said I had always voted the Democratic ticket with very few exceptions, but I talked as being an Independent, and said for myself I will not allow a party to dictate to me.

Q. You are not an organization Democrat, but you voted their ticket when you pleased?—A. Whenever it suits me.

Q. And you were elected mayor upon the Coalition ticket?—A. I was on that ticket. I carried a good many Democrats' votes.

Q. Oh, of course, and these men, Robinson, Arrington, and Becknor, were on the same ticket with you?—A. Yes, sir; and so were Mr. Blair and Mr. Gurst.

Q. Were they all elected by general ticket or by wards?—A. Wards. I was on the general ticket.

Q. What ward was Blair and Gurst and Jordan and Gurrent elected from?—A. Third ward.

Q. They were elected by themselves, then; they were not voted for on the same ticket with the balance of you?—A. I think Jordan was on the Democratic ticket. They called it the citizen's ticket; the organization of that party was under the head of citizen's ticket.

Q. The town organization?—A. I mean when the Democratic party met they did not call it the Democrat party. Mr. Schoolfield presided as president, and it was styled the citizens' meeting; they had negroes and white folks both in there.

Q. Is the Third ward Democrat, or Republican, or Readjuster?—A. The poll-books show that the Democrats have a majority.

Q. And in that ward these four councilmen were elected?—A. Yes, sir.

Q. What ward were the four colored men elected from?—A. From different wards; two from the First and two from the Second.

Q. And the Readjusters, Arrington and Robinson and Becknor, were elected from the First and Second also, were they not?—A. Yes, sir.

Q. On the same ticket with the colored men?—A. Yes, sir.

Q. Now, here is a statement which you have read and characterized as false:

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government, not one of whom has a dollar's worth of visible property within its limits.

A. I did.

Q. And to rebut that you said that Blair and Gerst and Jordan and Gurrent were all real estate holders.—A. I said a majority of the council were real estate owners.

Q. Well, you stated those four men as men owning real estate?—A. I said Batts, too, a negro; he has real estate also.

Q. When you cited those four men, now do you suppose that the circular, in alluding to "slaves of the Federal Government," intended to include the four straight Democrats that were on the council?—A. I don't know what they meant to include.

Q. Oh, well, you have criticized their statements very severely, and you ought to know what it was that you criticized.—A. I said of the circular just what I think.

Q. Now, when they went on to give the composition of the city government, as they understood it, and wound up by saying, "It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government," you have stated, or left the impression at least, that these four men were a part of the "slaves of the Federal Government" referred to in the circular.—A. They were elected on that ticket; I know that.

Q. Now, do you still claim that the circular referred to these four Democrats on the council when they speak of the "slaves of the Federal Government"?—A. I don't know why it should not. They referred to them as much as to Mr. Becknor, or Mr. Robinson, or Mr. Arrington. I am not able to draw any conclusions as to these.

Q. You are not able to tell the difference?—A. No, sir; I see none.

Q. They did not hold any office under the Federal Government, did they?—A. No, sir.

Q. They were Democrats?—A. They were.

Q. And not in any way under the control of the Federal Government?—A. None that I know of.

Q. And therefore you think they are included in the terms "slaves of the Federal Government"?—A. Well, Mr. Blair—

Q. Mr. Blair signed this circular, didn't he?—A. Yes, sir.

Q. And he referred to himself as one of the "slaves of the Federal Government"?—A. It seems that he did sign it. I am astonished to see his name there, too.

Q. Well, if he referred to himself in that language I should be astonished also. I believe I understood you to say that there were only three statements in this pamphlet that were true?—A. That is what I think.

Q. The statistics of the population, the taxes, and the discharge of the two magistrates?—A. No; I didn't speak of the population. I spoke of the tax statistics and the removal of the magistrates and the population was about correct. I think so.

Q. Here is a statement:

A short time since, when the town was in great excitement over the murder of a respectable gentleman and farmer of Pittsylvania County, in his wagon, while on his way home from Danville, by *three negro highwaymen*, a negro man in the town stood in the center of a crowd of his friends, with a pistol exhibited on his person, and with threatening gestures and loud oaths declared that he wanted to "start a row with some d—d son of a b—h of a white man that he might kill him."

Is that false, too?—A. That excitement was five miles from Danville, where they attempted that thing.

Q. There was no excitement in Danville about it at all?—A. To some extent there was.

Q. Well is that statement true or false?—A. As to the excitement in Danville?

Q. As to this farmer being murdered by these men and the excitement about it in the town of Danville?—A. You see, this mob, or whatever you call it, did not organize in Danville. They went outside of the town of Danville.

Q. I am simply asking you whether that assertion is true or false.—A. There was some excitement from the fact of having the military all around the jail. I couldn't say excitement to any great extent on that occasion. People were anxious to know what the military was out for and what the fire-bell rung at 1 o'clock for; but I could not say there was a great deal of excitement.

Q. It is true that the farmer was murdered, is it not?—A. Yes, sir.

Q. It is true he was murdered by three negro men?—A. That was the allegation of the men.

Q. And it is true there was some excitement about it?—A. A little.

Q. Only a little?—A. I don't think there was a great deal of excitement.

Q. Notwithstanding two hundred men formed?—A. They formed outside of the corporate limits.

Q. And notwithstanding you called the military out and had the jail guarded two days and nights?—A. Yes, that was for the protection of the jail. There was no excitement in that compared with the 3d of November; that wasn't a circumstance. There is some little excitement every day about something or other.

Q. I ask you once more if this statement in the circular is true or false?—A. Well, that circular meant to misrepresent facts in Danville.

Q. Well, that is a general statement as to the tenor of the circular. Now, is this particular statement true or false?—A. It is not true.

Q. It is not true?—A. No, sir.

Q. In what respect is it not true?—A. A stranger to read that circular in Southwest Virginia, the valley of Virginia, the people to whom it is addressed, could not see it in its proper shape. He would imagine that the town was in an uproar, or something of that sort; I would conclude so. That misrepresents the facts.

Q. How were the facts?—A. The facts are simply these, as I learn: These people had attacked this train, as I have stated before; but having ascertained that the prisoners were not on that train they proceeded back to Danville for the purpose of breaking open the jail and lynching them. That's the information I got from two telegrams. They sent out videttes. They had men in our town. I am satisfied a couple of them passed in the town on horses. They were strangers and we kept our eyes on them to see what they were up to. And they ascertained that we were well fortified that day, and they would not come there.

Q. You say it is untrue in that there was no great excitement?—A. Yes, sir.

Q. With the exception of that it is true?—A. Oh, yes, it is true to some extent, but it was not an excitement to the detriment of the community.

Q. Wasn't there a good deal of feeling about this man being murdered, in the way he was, and the fear that it would injure the town—that farmers would be afraid to come into town with their wagons?—A. Nothing more about this than a great many who have been killed down there.

Q. Still that don't answer my question. Wasn't there a great deal of feeling and talk about the murder of this farmer?—A. No more than any other.

Q. Well, was that great or small?—A. I don't know what you call great or small. I can only say that the people discussed it and said it ought to be punished, and some of those extreme fellows thought they ought to be lynched. But you see I remained at the jail and didn't go much into the mass of people to hear what this one and that one was saying.

Q. Where is Mr. Lipscomb's property?—A. It is in Danville. You will find it on the list there. I don't know on what street it is. I only take it from the records.

Q. Was he one of the councilmen?—A. Yes. He was one of the Coalition councilmen. He resigned since. I counted six there on that paper and Batts in Petersburg.

Q. I find this is only a list of taxes paid.—A. I understand. If you will look at the head of that you will find "real and personal property."

Q. I see real and personal property taxes paid upon it?—A. Yes, sir.

Q. Men sometimes pay taxes upon property that don't belong to them, don't they?—A. There might be some cases of that kind. Yes, sir.

Q. A man might have some property in which the title was in him but the legal title in a mortgage?—A. I don't know that that is the case in this case.

Q. I ask you if that might not be the case?—A. I don't know anything about it.

Q. Then you got this as a list, but whether the title is in the men, you don't know?—A. I found in the newspapers a statement about councilmen being non-property holders, and I wrote to get me a copy of

the facts. In addition to that I ascertained that Batts had property in Petersburg.

Q. You don't know whether this is a correct statement of the taxes, do you? You never compared it with the original?—A. Look on the back and you will see Mr. Boisseau's letter.

Q. I ask you for your knowledge; you never read the original?—A. That's the original itself.

Q. This is a copy of the original?—A. Read it and you will see.

Q.:

OFFICE COMMISSIONER REVENUE,
Danville, Va., February 23, 1884.

DEAR SIR: In obedience to your request, I herewith furnish you with a statement of all taxes assessed by me on real estate, personal property, and licenses against the persons and firms named by you. Hoping the information may be satisfactorily given, I am,

Very respectfully,

WM. E. BOISSEAU,
Commissioner Revenue.

Hon. J. H. JOHNSTON,
Mayor Town of Danville.

A. Well, that's good authority. Mr. Boisseau is a truthful man.

Q. Did he swear to this?—A. No, sir.

Q. Now, you are taking it upon Mr. Boisseau's word?—A. Yes, sir; and I am satisfied it is correct.

Q. But you are swearing to what Mr. Boisseau says?—A. I am perfectly satisfied to do that. I know my man.

Q. And yet that list does not show who the owners of the estate are. It only shows by whom the taxes were paid?—A. It shows whether a man owns real estate there.

Q. No, it does not, with due respect. It shows taxes that have been paid by parties on this real estate. It does not show who owns it.—

A. People are not in the habit of paying taxes on property unless they own it.

Q. If a man has a piece of property that is mortgaged for its full value and he pays taxes upon it, is that his property?—A. You may make a supposition in any case.

Q. Well, do you know that the property here is not covered by mortgage?—A. I don't know.

Q. Do you know?—A. I have reason to believe that they own that property, and I have reason to believe that it is not mortgaged, though I don't know to the contrary.

Q. Where is Mr. Arrington's property?—A. It is on Wilson street, I judge.

Q. I thought you said it was in Petersburg.—A. Batts's property is in Petersburg.

Q. Now, the circular said, "Without one dollar's worth of visible property within its limits," and so, if Mr. Batts had property in Petersburg it would not be within the limits of the corporation of Danville?—

A. I said the majority of the council are real-estate owners, as shown by the paper which I have submitted, and the information I have of Batts's property in Petersburg, and I went on then to say that some of them are men of large means, which I know to be a fact.

Q. Now, it comes to this again, that you rebut and brand as a falsehood the statement that a man didn't own any property in the city of Danville, because of evidence of a man who owns property in Petersburg.—A. I know he owns it.

Q. But he didn't own it in the corporation of Danville?—A. Well, there are six others there who do.

Q. Then you ought not to give it, but simply to rebut what was said.—A. I take my plain statement. I give them as real-estate owners.

Q. And then you give Democrats that don't fall within what they state, and then you give another man who lives in Petersburg.—A. You do that. I don't make any distinction.

Q. But the circular did. That's what I am talking about.—A. Well, I am not responsible for that.

Q. Of course you are not responsible, but if you come here to brand thirty-eight or forty of the most respectable men in Danville as false, you ought to know what you are doing.—A. I am not here for anything of the kind, for some of those men are personal friends of mine, and gentlemen, and I am sorry to know their names are there.

Q. That is not the question now. You have decided as to your statement, and you include all these four men that could not be included in any sense in this term, and another one who has property in Petersburg.—A. That is your construction. It is not mine.

Q. You take it, then, when Mr. Blair signed this circular he alluded to himself as a "slave of the Federal Government, without a dollar of property." Where is Mr. Arrington's property?—A. I judge from the amount of the taxes he pays there he must have a good deal of property.

Q. Where is Mr. Becknor's?—A. Mr. Becknor has two brick buildings on Becknor street, and owns, down to the depot, two unimproved lots. I would like to give Mr. Becknor \$15,000 or \$20,000 for what he owns in real estate.

Q. What property did Colonel Raulston have? He was one of the councilmen—the president.—A. I did not state that Colonel Raulston owns any real estate. I spoke from that paper you hold in your hand, and that can give you as much information as I can with regard to real estate.

Q. Do you know about Payne?—A. That paper does not state him.

Q. Well, they were in Federal employment, were they not—Raulston, Batts, and Payne?—A. Not at that time, but some time after that.

Q. At the time this circular was issued?—A. I don't know when it was issued.

Q. Well, at the time you first heard of its advent into this sinful world?—A. Yes, sir; they were in that office at that time.

Q. Now, don't you suppose he referred to them as "slaves of the Federal Government," instead of to these men?—A. I never made any suppositions about it.

Q. You say that Mr. Covington sent his family to North Carolina because there was going to be trouble?—A. He didn't tell me that. He said he didn't want his wife and children to be in Danville on the day of the election, and I asked him, "What objection have you to having your family here?" He said he didn't want them to be there. I say I suspected something wrong when he said that; I knew he was a man of nerve, and I thought there was going to be trouble.

Q. What men told you there was going to be trouble?—A. A good many of them.

Q. In your testimony in chief you mentioned some name that I didn't get down?—A. Well, Judge Green.

Q. What are his politics?—A. He is a Democrat of the best order.

Q. Did he tell you where the trouble was coming from?—A. No, sir; I asked him what it was. He said, "It is bound to come, Johnston."

Q. From what he told you he might as well have expected it from one

side as the other?—A. I don't think Judge Green had any reason to expect it from the negroes, because the negroes had become, as I stated here, excited and feared this trouble thirty days before. They approached me along the road and asked me about it.

Q. That is your argument.—A. It is not an argument; it is a statement.

Q. I ask you, from what Mr. Green said to you, whether he might not have been referring to one as well as the other?—A. I don't know as I am competent to answer that question.

Q. Well, you are competent to say he could not have meant any but negroes. You went on to give your reasons for that?—A. I went on and based that on statements from other parties.

Q. From what Green told you I want to know if you might not as well, if you could not as reasonably, infer that he referred to trouble coming from the black people as from the white people?—A. I don't know what he thought. I thought this, that Judge Green was under the impression that the white people were going to attack the negroes. That was my conclusion.

Q. You concluded so because he said that to you?—A. Yes, sir.

Q. And although he did not disclose the source of his information?—A. Not at all.

Q. You knew he had no reason to apprehend any danger from black men, didn't you?—A. I don't think he had. I certainly thought so.

Q. Did you see anything of a threatening letter about burning the town, &c., that was found there and made use of in that campaign?—A. I have heard of that letter.

Q. How do you know but what Judge Green referred to that letter?—A. I don't know that he knew of that letter being in existence.

Q. Of course not; you don't know that he didn't know; you don't know anything about it. He declined to tell you what his information was?—A. As I understand, this letter was not known at the time we had the conversation. In fact, I see Judge Green every day. I am in his office some days two or three times.

Q. It might have been found before you knew it, might it not?—A. Oh, yes; I never knew it before. I have no confidence in that letter. Judge Green is a very frank, straightforward gentleman, and what he was saying to me, I think, he believed—there was going to be a difficulty there, but what he thinks is a surmise of mine. That I might be prepared to keep it off, I go to him for counsel.

Q. The public mind was very much excited in that campaign, was it not?—A. Very much.

Q. A great many people might have feared, and, probably, did fear, trouble between the whites and blacks without any particular information except a great amount of excitement, might they not?—A. I think that is possible.

Q. Have you any reason to believe that Judge Green had anything more in his mind than just a prediction that owing to the intense excitement there was going to be trouble?—A. There were too many men just like Judge Green saying this thing—in other words, there was too much smoke without some fire.

Q. Well, but some things impress other men's minds differently.—A. I suppose so.

Q. Don't you suppose that there were many citizens that saw the excitement a great deal higher than it was, and they apprehended trouble?—A. I know that a great many apprehended danger because they

said, "Johnston, I think we are going to have trouble." I heard that for two or three weeks.

Q. You say that the statement that the city government was under negro rule could not be so, because out of forty-four total officers of the city government only nine were negroes?—A. That is what I stated.

Q. Suppose the negro votes put the whole in office, would it not be fair to call that negro rule?—A. No, sir. If that be the case it has been under negro rule ever since the negro was allowed to vote. The negroes have never seen the day they could not carry Danville.

Q. I did not say provided they could do it. I say suppose negroes do put persons into all the offices that were electable, then would it not ultimately be their rule?—A. No, sir; it would not. When a negro votes for me he knows very well he is not voting for a Republican; they know that.

Q. He knows more than I do then, Mr. Johnston.—A. Well, I am not responsible for what you know.

Q. I think you talk like a pretty good Republican myself. Now, in dealing with a statement made by a number of respectable citizens, as you admit them to be, is it not charitable to take their view of it?—A. I don't think so.

Q. You think it is to be branded as a falsehood out and out, notwithstanding they believe it in the light they look at it?—A. I don't believe that any intelligent man that saw that circular but what would believe it was false, at least those who live in the town of Danville. A man who lives in New York might believe it.

Q. But you are far from the point that I want to ask you upon. Here is a town now with a large colored majority, some three hundred, and they elect a city government?—A. Yes, sir.

Q. That city government, you say, cannot be called black rule, or Coalition rule, although they elected the officers of the government, because some of them were white men?—A. The majority of them were white men. The majority of them were Democrats.

Q. You say no intelligent man could speak of it truthfully as being Coalition rule, although the Coalitionists elected the officers of the city.—A. I didn't say Coalition rule, but I said negro rule.

Q. Well, they constitute the majority of the Coalition party, do they not?—A. Yes, sir.

Q. The source of power, and because they elected white men, you say it is not their rule, and that men who state it is their rule tell falsehoods?—A. I say that circular is untrue. That's what I say.

Q. That's the point I want to call your attention to.—A. I state that.

Q. You were asked by Senator Sherman how was the canvass conducted by the Democrats, and you replied very severe.—A. Yes, sir; I did. I say that now.

Q. Was there any severity on the other side?—A. Nothing like there was on the Democratic side, as far as I could learn or see.

Q. Did you hear any speaker in the campaign or read any newspaper on the Democratic side in the campaign that exceeded the severity and bitterness of Mr. Sims's speech?—A. Yes; I think I did.

Q. Where?—A. There was a paper started in Lynchburg, called the Democratic Campaign.

Q. I am talking about the town of Danville.—A. That was in the town of Danville. Somebody sent it to me.

Q. It was distributed in the town of Danville?—A. Yes, sir.

Q. Was that any bitterer than Sims's speech?—A. Sims's speech only applied to a few individuals, but this applied to a whole party of people

all over the State of Virginia, and it was equally as severe as Mr. Sims's speech.

Q. Now, Sims picked out some twenty-eight or thirty of the best and most upright business men in Danville, and characterized them as dishonest and liars and scoundrels. If that is so, what must be the balance of them that are not so prominent?—A. I do not say they were the most prominent men in Danville. I say they are good citizens.

Q. Well, in a business point of view they are the most prominent, are they not?—A. No, sir.

Q. They are among the most prominent, are they not?—A. They are good citizens. I don't know as they are entitled to be called the most prominent business citizens. They are about as good as we have in Danville. They are about an average.

Q. Well, if the average is such as Sims described, what are the little fellows. If the best of them are so bad, the worst of them must be bad in proportion.—A. Well, yes, of course.

Q. You say you heard Wise speak there?—A. Yes, sir, I stated that. I took very little stock in the election any way. Holding the position I did I had very little to do with either side.

Q. Now, don't get so far off the question, please; what sort of a speech did Mr. Wise make, of bitterness, moderation, or amenity?—A. I looked upon Mr. Wise's speech as of a conservative order.

Q. Did he use any harsh words?—A. No, I think, he was on the defensive side.

Q. Well, men fighting back can say some pretty hard things, can they not?—A. Certainly, if they want to.

Q. You heard Mr. Hurt speak, didn't you?—A. Yes, sir.

Q. How was that?—A. Very conservative, very moderate, too.

Q. As much so as Mr. Wise's?—A. As much so, possibly more; I didn't look upon Mr. Wise's or Mr. Hurt's either as extreme speeches, but I heard of speeches being made by parties that I considered of a rather extreme nature.

Q. You heard of them?—A. Yes, sir; heard parties give descriptions.

Q. But you did not hear any except Mr. Wise, Mr. Hurt, and Mr. Sims?—A. Those are the only ones that I heard—speeches to hear—I heard speeches frequently of the Democratic club when I was passing the court-house; I heard a negro named Harris making a speech there; I didn't stop to hear it.

Q. You spoke of a meeting in the hall, and Mr. Sherman asked you if that was not where the arms were; did you mean to convey the impression by that that they wanted to be near their guns?—A. No, I have no idea of that.

Q. They just rented the hall because it was a convenient hall to speak in.—A. Yes, sir, that's all.

Q. Did you attend any of the meetings?—A. I didn't attend meetings anywhere.

Q. Were the general public generally prohibited from attending those meetings?—A. Not to my knowledge.

Q. You spoke of carrying pistols. As I recollect you said there were but few men that did not carry them—boys carry Bowie-knives, &c.?—A. I give it as my opinion that most every man in Danville had a pistol, judging from what I could see.

Q. Now about the time of this excitement, I suppose, of course, there were more weapons on men's persons than ordinarily, but before that excitement got up, what were the habits of the people of Danville about carrying pistols?—A. They carried some, but not to such an extent, not

such a percentage of them. I have frequently had parties come up before the court and tried for carrying concealed weapons, some two or three months before election. Why, I could learn of these men buying these pistols by the wholesale.

Q. What about the other race carrying weapons?—A. I stated they were more on the razor order; you would see them with an old pepper-box pistol sometimes.

Q. Do you attribute that to their more peaceable disposition, or inability to buy pistols?—A. Inability to buy them, I reckon.

Q. Mr. Sherman asked you if Mr. Sims's speech was not calculated to arouse resentment against him, and you said it was?—A. Against Sims?

Q. Against Sims himself?—A. Yes, I do.

Q. But in answer to another question from him, you said it was not calculated to raise any resentment against the colored men who listened to it?—A. I could not say that the colored men had anything to do with what Sims said about other gentlemen.

Q. Now when Sims would read one of these statements and propound to them this question, "Don't you know this to be a lie," didn't they all answer, "Yes! Yes! Yes"?—A. I cannot say they did.

Q. Didn't they shout and applaud?—A. Oh, yes; along through his speech.

Q. They approved it, didn't they, by their applause?—A. I don't know whether their applause was approval of his denunciation of the people, or his definition of their rights.

Q. Didn't they applaud when he denounced these men as liars?—A. I cannot say that they did.

Q. Can you say that they did not?—A. I don't know that I can.

Q. It is stated by witnesses that they applauded?—A. This is my statement. I have nothing to do with them.

Q. I know, but you made this statement in your examination—that they applauded?—A. Oh, they cheered and applauded him as they will any orator they hear speak. I have seen them holler around you, frequently.

Q. Well, when men holler and hurrah and cheer around a public speaker, that is taken as a sign that they approve what he says?—A. So far as he is right. If I cheered a man, it would be for some argument he might put forth. I would not want to be understood as approving all that he said.

Q. You might cheer at some particular point, and be silent on some others?—A. Yes, sir.

Q. There was a great deal of applause that night, wasn't there?—A. Not more than usual.

Q. And his speech was altogether about this circular?—A. Principally upon that. He alluded to a statement, or rumor, that they said that they should not be allowed to vote, or something of that sort, and went on to say that the United States Constitution and State constitution guaranteed the right to vote; they had a right to vote.

Q. That mob about which you were interrogated was raised for the purpose of lynching these men who had murdered that old farmer, wasn't it?—A. Yes, sir.

Q. And the colored men whom you called out to protect them against the mob were the Danville Guards, were they not?—A. Both companies, both white and colored. I had both companies out on that occasion.

Q. Both companies of the city military?—A. Yes, sir.

Q. There was nothing wrong in that, was there, or of course you

would not have done it—called out the military to protect these men in jail?—A. Oh, certainly. I was not going to have the jail broken open.

Q. And there was no politics mixed up in that?—A. I think these men had politics in their heads for eighteen months.

Q. I think you ought to answer that question.—A. Well, put it to me.

Q. Do you think that these men went out to hang or lynch these three negro men who had murdered the farmer because they were murderers or because they were Republicans?—A. I think it was owing to the fact that the people were much excited over politics. If it hadn't been for that, they would never have done it.

Q. You think their motives, then, were political, and not indignation at the murder?—A. Possibly both.

By the CHAIRMAN [handing book to witness]:

Q. I will ask you if this is your report to the common council?—A. Yes, sir. This is my report to the 1st of January this year.

WASHINGTON, D. C., *March 5, 1884.*

JOHN A. I. LEA sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. I live in Craig County, Va.

Q. In what direction and what distance is that from Danville?—A. It is northwest from Danville; I am unable to state the exact distance, but perhaps about 100 miles from Danville.

Q. About 100 miles west of Danville?—A. Yes, sir.

Q. Is it on the line of a railroad?—A. No, sir.

Q. How far is it from a railroad station?—A. My residence is about 17 miles north of Salem.

Q. Is that the county seat?—A. No, sir; the county seat is about 24 or 25 miles north of Salem.

Q. Is Salem a point on the railroad?—A. Yes, sir; Norfolk and Western Railroad. That is the nearest railroad point.

Q. Does that road pass through Danville?—A. No, sir; it passes through Lynchburg.

Q. When did you first hear about the Danville riot, or of any expectation of a riot there?—A. I heard some rumors of a riot in Danville on election day, but I do not know just how the rumor came.

Q. That is the 6th?—A. Yes, sir; on the 6th of November.

Q. When did you first hear about there being a probable riot or likely to be a riot?—A. I do not know that I heard that there was a likelihood of a riot in Danville prior to that time, until after I heard of the occurrence.

Q. What did you hear; was there any publication made about it?—A. Not at that time that I saw. There was a circular known as "Coalition Rule in Danville." That paper was distributed in our county a few days before the election, and I did not hear anything about a riot then.

Q. You say that was distributed through your county?—A. Yes, sir.

Q. How extensively?—A. I could not say of my own knowledge. I understood that it was distributed generally throughout the county.

Q. Did you see any copies of it?—A. Yes, sir; I did. They were distributed at the precinct where I voted and also at the precinct at New-

castle, the county-seat, and I was informed but cannot state certainly that they were distributed at all the election precincts.

Q. How long before the election?—A. A few days before the election. There was a Democratic rally in the county on the Saturday preceding the election. The meeting was addressed by Major Daniel, Captain McKinnie, Captain Patterson, and Judge Wallace was also present. I was there, and "Coalition Rule" and some other paper referring to troubles in Danville were distributed at that time, together with a good many campaign papers, that I understood but cannot state certainly that those papers were distributed throughout the county by the Democratic committee of the county.

Q. What was the other paper beside the paper headed "Coalition Rule in Danville?"—A. There was a paper that came out about the same time controverting the matters set forth in that circular styled "Coalition Rule." About the same time another paper from the Democratic party referring to the same thing. I don't know just exactly what the paper was.

Q. Have you copies of the papers?—A. I have not.

Q. You did not bring them here?—A. No, sir.

Q. When did you first hear about a riot or contemplated riot; on the day of election, was it?—A. Yes, sir; I heard on the day of the election that there had been a riot in Danville on the 3d. My recollection now is that the news of the riot in Danville was circulated in the county of Craig on Monday, and possibly I heard it the day before the election.

Q. Have you got any form of that report in publication?—A. I have not.

Q. How was it circulated; by papers?—A. Well, I only heard it. I did not see any report until about the time of the election.

Q. What was the report in circulation?—A. The report was an exaggerated report, that there had been a terrible conflict between the whites and blacks in Danville, and that a good many of both parties had been killed. That was the first report we received in Craig.

Q. How many whites were killed according to the report?—A. I cannot remember definitely what was said about it, but a good many. I think as well as I remember that the report given to me estimated the dead at about 150.

Q. What proportion of whites were they?—A. I do not remember that.

Q. It was a negro massacre then, was it; a massacre by the negroes; was that the idea?—A. No, sir; I heard there had been a desperate conflict between the whites and blacks in Danville. My informant, of course, didn't have the thing correctly, though a very worthy gentleman who heard it over about Salem.

Q. You did not see any handbill about that?—A. I did not.

Q. You would not recognize it as you have not seen it, of course?—A. No, sir; I saw no handbill about it at all. After the election or about the time of the election I received a statement in the paper and was very much pleased to learn that the occurrence was not just what I had first heard.

Q. What was the effect upon the general elections of that Danville circular; what was the effect and tendency upon the elections in your neighborhood of that circular and of the news of the Danville conflict?—A. I am unable to say certainly. The people of Craig are largely Democratic. I think the feeling was intensified to some extent.

Q. Is that a white region ; do the whites prevail there ?—A. Nearly all white there.

Q. In all the western part of Virginia, whites are in the majority, are they not ?—A. Yes, sir.

Q. The tendency of that pamphlet would be to excite the race issue, would it not ?—A. I should think so.

By Mr. VANCE :

Q. Did you have a quiet and orderly election in Craig ?—A. Yes, sir ; we did.

Q. No disturbance ?—A. None that I heard of.

Q. You think the only effect of the news of the riot there was to intensify the feeling of the people somewhat ?—A. Yes, sir ; I think it had that effect.

Q. And you did not get, I suppose, the true state of the case until after the election, did you ?—A. Probably on the day of the election I think I saw a statement in a newspaper on the day of the election in regard to it. The first statement that was given me was by a friend who, of course, did not have it right. He stated that about 150 had been killed, a great many wounded ; a terrible conflict between the whites and blacks in Danville.

Q. You say the county of Craig has a large white and Democratic majority ?—A. Yes, sir ; there are only about 30 negro voters in the county, and I believe that all except two voted the Democratic ticket ; I was so informed.

By the CHAIRMAN :

Q. What are your politics ?—A. I have been a Democrat always in national politics ; I have been identified with the Readjuster party, of Virginia.

Q. You told us about the Danville circular ; did you see any circulars headed "The negro school teacher" ?—A. There was some such campaign-talking document as "The negro trustee," and "The negro school teacher," a caricature gotten up by some paper in Virginia ; it exhibited a negro school teacher flogging a white girl, I believe.

Q. That was distributed before the election ?—A. Yes, sir ; they were distributed on the day of the rally that I told you about, on the Saturday preceding the election.

Q. What was the effect of the distribution of this kind of circulars ?—A. I could not say, certainly ; it intensified the feeling, I think.

Q. Was it not designed to raise the race issue ?—A. I am unable to say what the design was.

Q. Was not the effect to make the canvass turn upon the issue of the race instead of the questions that were being discussed by you ?—

A. I heard of various members of the Democratic party referring to the Readjuster party as the negro party, and the Democratic party as the white man's party, but I don't think I ever heard such remarks until after the rally, and the distribution of those papers.

Q. Then these created the cry of there being a white man's party and the negro party ?—A. Yes, sir.

Q. They denounced the Readjusters as the negro party and called themselves the white man's party ?—A. I do not know that they were denounced as the negro party, but I heard such remarks, very common remarks. It was exceedingly unpopular to be a Readjuster in Craig County.

Q. Why is it unpopular, because the Readjuster principles were un-

popular, or because they had fastened upon them the idea of being the negro party?—A. It was because of the opprobrium that had been given to the name, I reckon.

Q. As the negro party?—A. Yes, sir; as the negro party.

Q. Were the Readjusters unpopular on account of the debt question?—A. No, sir; at one time the Readjusters carried the county of Craig.

Q. On the Readjuster issue?—A. Yes, sir.

Q. It was on the negro cry that you say it became unpopular?—A. I don't know just why it became unpopular. I could not undertake to say, but there was a revolution in sentiment there. A great many who had voted the Readjuster ticket joined what was styled the white man's or Democratic party.

By Mr. VANCE:

Q. If I understand your position and the position of your people in Craig, there was at one time a majority in your county in favor of re-adjusting the debt?—A. Yes, sir; a very decided majority at the time of the election of Major Spessard to the legislature.

Q. But after that was settled they declined to be led into the Republican party; is not that about the situation?—A. Well, I suppose so.

Q. There was no necessity for a change in national politics in order to effect a State matter, was there?—A. I suppose the people must have determined that there was no necessity for a change. I cannot say why the revolution in feeling was produced there, or how, but I know the fact.

Q. How great was the change. What was the vote on the last election for members of the legislature?—A. I am unable to tell you certainly. I think the Democratic nominee received about 500 majority, probably 550, in the last election.

I. C. FOWLER sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. I resided at the time of the election in Goodson, Va.

Q. What part of the State is that?—A. It is in Washington County, just on the Tennessee line; it is known in the postal books as Bristol, Tennessee.

Q. How far from Danville?—A. About 200 miles west of Danville.

Q. Are you on the line of the railroad?—A. Yes, sir; the Norfolk and Western and East Tennessee and Georgia unite at that point. The Norfolk and Western road runs from Norfolk to my town, Bristol.

Q. Where were you on the 3d of November?—A. On the third, that was on Saturday, I was at Bristol for three-quarters of the day, I reckon, and in the afternoon and night I was some 6 miles in the country and addressed an audience.

Q. You took an active part in the canvass, did you?—A. Yes, sir.

Q. Were you a member of the State committee?—A. No, sir.

Q. Of any committee?—A. No, sir; not that I remember—yes, I was chairman of our county committee, the Readjuster county committee.

Q. How far is Wytheville from you?—A. Seventy-two miles by rail.

Q. There is a paper there by the name of the Enterprise?—A. Yes, sir.

Q. A Democratic paper?—A. Yes, sir.

Q. (Handing a paper to witness.) Will you look at that paper and say whether you have seen it before or one like it?—A. Yes, sir; that was handed to me at about the time of the election.

Q. Before the election?—A. It may have been on the morning of the election.

Q. Were they distributed to any extent?—A. I am told that they were generally distributed.

Q. Did you see many of them?—A. I think I saw a number of them, but did not have any opportunity and did not take any pains to examine them. Most of those documents were not handed publicly and in any open way. A great many of them were distributed, I think. I was told so.

Mr. VANCE. What are you proving?

Mr. LAPHAM. We are proving a circular.

Mr. VANCE. The Coalition Danville circular?

Mr. LAPHAM. No, sir, it is a confirmation of it, rather.

Mr. VANCE. Let me see what it is [examining paper].

By Mr. LAPHAM:

Q. When did you first hear of the riot at Danville?—A. I think I first heard of the riot in Danville on Sunday morning. I might have heard of it on Saturday night, as there is a telegraph office in town.

Q. Do you remember seeing any account of it until you saw this extra [referring to the paper]?—A. I think I did.

Q. From what paper?—A. We get all the Valley papers; we get the Knoxville papers the morning they are published, get them at breakfast, and it may be I saw it in that; it was very likely I did, some account.

Q. Did you see a detailed account until you saw this extra?—A. I don't know that I did, except such as the brief publications of the telegrams.

Q. The population of your county is mainly white people?—A. There are 25,159 population, about that figure, and there are about 4,500 white males of the voting age, by the census, as I remember, and nearly 900 negroes of the voting age, according to the census, the proportion being about five whites to one negro voter.

Q. Was the Danville circular itself distributed?—A. Yes, sir; very profusely, I think.

Q. How early?—A. I cannot give you the exact date; I didn't charge my memory about the thing at the time, but I suppose the Danville circular made its appearance about Thursday or Friday before the election; that is about as near as I can state it.

Q. Did you attend any of the meetings of the Democrats?—A. In that county do you mean?

Q. Yes; hear any of their speeches?—A. No, sir; I canvassed the State and of course heard Democratic speeches over the State in various places, but I don't remember that I heard any Democratic speeches in my county.

Q. What I wanted to draw your attention to is whether there was any effort to create the race issue in the canvass?—A. Well, sir; there was an immense effort to create the race issue at some of our discussions, and the Democrats refused to divide time in order to show as they said that the majority of our adherents were negroes.

Q. Was not that a new phase in politics in Virginia?—A. I think so, entirely; I have never known a disposition to avoid a division of time before in my life.

Q. Have you ever known of any distinct effort to create a race issue?—A. I never have before.

Q. Were not the issues of principle, if there were any between the

two parties, lost sight of in this effort?—A. Well, sir, they were not by me, but I think there was an effort on the part of the Democratic party to produce the impression everywhere that the only issue was, “Are you a negro or are you a white man?”

Q. Well, these circulars tended to inflame that feeling, did they not?—A. They inflamed it enormously where I was. I never saw anything equal to the feeling they created since Fort Sumter was fired upon in 1861.

Mr. VANCE. I feel it my duty as a member of this committee to protest against all this kind of evidence.

Mr. LAPHAM. It seems to me that the issue we have to try is mainly what efforts were made by the Democratic party to influence the voters of the State of Virginia, the elections in the State of Virginia, whether by violence or intimidation, by this riot at Danville, or by the means they used growing out of the riot or misrepresentations of the riot. It seems to me that is the gist of the whole matter.

Mr. VANCE. Certainly, sir; anything that can be shown that the Democrats violated the rights secured by the Constitution of the United States; but the ordinary tricks of politicians, the issue of little fly circulars and exaggerated reports and inflammatory speeches of one sort and another, it seems to me we have nothing on earth to do with that.

Mr. LAPHAM. It seems to me it is very vital to show that the Democratic party, by its regular organizations, spread the most false and exaggerated rumors of fights and race issue between the whites and blacks in Danville to induce all the white people to vote the Democratic ticket; it seems to me that is one of the chief things.

Mr. VANCE. What is the harm of appealing to a white man to vote the Democratic ticket because he is a white man and because the negroes vote the other ticket? What is the harm of making the race issue when the whole object of this investigation is to make a sectional issue? Is not one just as wrong as the other?

Mr. LAPHAM. The object is to show the use made of the Danville riot, as it is called; to show that it was one of the means and agencies used to influence the elections, and that it was used for that purpose. It seems to me it is competent.

The CHAIRMAN. If the appeals made were based upon the truth that would be one aspect of the case, but if they were based upon falsehood and exaggerated and unfounded assertion of the facts, then they become very significant in my view of it.

Mr. VANCE. If this committee has in charge the correction of all falsehoods circulated in elections then we could sit until we are all ready for burial, and will become the laughing stock of all the people of this country. It seems to me if there is any violation of the Constitution, that the authorities of the State of Virginia took measures to deny to these people their rights under the amendments of the Constitution as declared by the Supreme Court, then it is a legitimate subject of inquiry, but not otherwise. And where is it to end? We certainly will be entitled to reply to this, and be entitled to hunt all over the State of Virginia for men to prove lies told on them; and I have not any doubt there were some told on the other side. There is no campaign but what there are some told.

The CHAIRMAN. Still it seems to me we are called upon to examine the events that grew out of the riot at Danville, and this excited and exaggerated state of affairs is a very proper thing to show.

Mr. VANCE. Of course I do not want to delay the committee or take up time. I just wanted to enter my protest.

The CHAIRMAN. That is all right. I think it very right for you to enter your protest in your view of it, but my theory is this: To first prove the events at Danville, to show that not only a riot was committed there, but an actual preconcerted arrangement to kill or attack the negroes and deprive them of their right to vote. And now we want to show the use made of that event; and it seems to me that that is legitimate, although it is probably extending the inquiry. [To the witness.] That paper I will make part of your testimony.

The paper is as follows:

ENTERPRISE—EXTRA.

WYTHEVILLE, VA., *Monday, Nov. 5, 1883.*

THE BLOODY NEGRO RIOT IN DANVILLE.—AN IMMENSE MASS-MEETING IN RICHMOND, HELD SUNDAY EVENING.—MAHONE RESPONSIBLE FOR BLOODSHED—WHITE MEN OF VIRGINIA URGED TO BE TRUE TO THEIR OWN RACE IN THE RACE CONFLICT WHICH MAHONE HAS BROUGHT ABOUT.

[Special telegram to the Enterprise.]

RICHMOND, VA., *Nov. 4, 1883.*

EDITORS ENTERPRISE,
Wytheville, Va.:

This (Sunday) evening an enormous mass-meeting of white citizens was held in Armory Hall. Col. John B. Purcell was called to the chair, and stated the object of the meeting to be simply to express sympathy for the white people of Danville.

The following preamble and resolutions were unanimously adopted:

Whereas reliable information did reach this city on Saturday night that a conflict between the white and black races took place at Danville yesterday, the result, as we believe, of a conspiracy to force the race issue upon the white people in the present political canvass; and

Whereas the white citizens of Danville did lately address an appeal to their race in certain portions of Virginia, setting forth the grievances under which they labor in consequence of this conspiracy; and

Whereas the veracity of that address has been questioned by Gen'l Wm. Mahone in a card lately published in the Richmond Whig:

Therefore, be it—

Resolved by the citizens of Richmond, in mass meeting assembled:

First. That in the conflict which took place in Danville on yesterday the white men of this city sympathize fully and cordially with their own race.

Second. That they have the fullest confidence in the truthfulness of the address written, signed, and circulated by certain leading citizens of Danville, with all of whom one or more of us are personally well acquainted.

Third. That whenever or wherever this conflict shall take place in Virginia, all white men are *affectionately, earnestly, and solemnly entreated* to take the part of their own race.

Fourth. That the whole history of Virginia, up to and including the present time, shows that they have never raised the race issue, but that in every case it has been forced upon the white men against their protest and in effectual form.

Fifth. That in this particular canvass the race issue has been deliberately forced upon the white men, and its irritations *planned and sedulously cultivated* by WILLIAM MAHONE and his conspirators for their own selfish ends, and that upon *their heads must rest all the responsibility for blood that may be shed or spilled* by men who are driven to the conflict in the interest of civilization.

W. D. CHESTERMAN.

MORE PROOF.

The following telegram was received this (Monday) morning by Mr. T. N. Perkinson, a well-known Readjuster in this place, from a friend in Danville:

DANVILLE, VA.,
Monday morning, Nov. 5, 1883.

To T. N. PERKINSON,
Wytheville, Va.:

If you only knew our suffering here on account of negro rule you would vote different. We are standing in our doors with guns protecting our families. Post this up at the court-house door.

P. N. ROBERTSON.

In regard to the author of this telegram, Mr. Perkinson testifies as follows:

WYTHEVILLE, VA., Nov. 5, 1883.

I am well acquainted with P. N. Robertson; have known him from his boyhood. He is as respectable a citizen as there is in Danville, and, as far as I know, has always been a truthful man.

T. N. PERKINSON.

In accordance with Mr. Robertson's request, the original telegram has been posted at the court-house door, where it can be seen and read.

By Mr. LAPHAM:

Q. What was the effect of these efforts, if any, upon the negro vote in your locality?—A. The effect upon the negro vote was, I think, to some extent to consolidate the negro vote in our favor perhaps more than it had been in some of the previous elections. Another effect was to alarm it to some extent. The night before the election, the negroes of our town held a meeting on the border of the town, at a place where they have one of their churches, and invited me to address them. I went there to address them in response to their invitation, as I have always done; I think I never addressed a negro club except when they invited me to do it, but never failed to do it when they did invite me. I spoke to them, and so did one or two other gentlemen, and the object of my speech, and the scope of my speech, was to convince them if they would go quietly to the polls next morning, and not touch one drop of liquor during the day of election, quietly deposit their ballots and disperse, that I thought it was their best plan; that I believed it would be a very dangerous occasion on the next day, but I believed if they deposited their ballots quietly, none of them get drunk, and I advised them not to resent an insult from anybody—quietly pocket it and walk off after having voted. That was the object of my speech that night—to still their fears and qualify their conduct judiciously as much as possible for that next day, and prevent any trouble.

Q. How was the vote; was there a big vote of the colored people?—A. Yes, sir; a pretty full vote of the colored people. Some few did not vote, and some, I suppose, I should think a dozen of them at least, voted the Democratic ticket; out of perhaps a vote of 90 to 100 negroes, I think the Democrats got at least a dozen.

Q. Were there any demonstrations or violence on the part of the whites anterior to or on the day of election?—A. I can only tell you what occurred there that day. I considered it violence; I considered my life in danger on that occasion all day.

Q. Tell the facts.—A. The polling place was in what we call the New Town Hall, one window. I was there very early on the ground; I was designated by our friends, a number of them at least, to go to the window and challenge any votes that ought to be challenged. I found both sides of the window taken possession of by leaders on the Democratic side, and I had to stand behind them in order to overlook to challenge. I did challenge some 5 or 6 votes during the day, and it gave rise to very insulting language from some of the Democrats towards me on each occasion; and at about 11 or 12 o'clock, as I can best remember, there came in a regular procession with a wagon at its head, the wagon loaded with men and followed by mounted men, I should say somewhere from 50 to 75 men in a solid body, and marching in regular procession, yelling, screaming, and shouting, with a white flag emblazoned "Kelly and Trigg, the white man's candidates," which was spread out and carried in front above the heads of everybody. They were yelling and hal-

looking all they could, and the excitement was tremendous. I have never seen anything like it, as I said before, since the days of secession.

Q. Could you state whether they were armed?—A. Oh, no; they were not visibly armed. That crowd rushed to the polls and occupied exclusively the polling place for a long time in casting their votes, and about that time Judge Rhea, the judge of our county, mounted a rock, and stood about as high above the street as this chair, called upon the crowd to listen while he read a telegram in which he said that Mahone—as he charged everything to Mahone—that Mahone had called upon the negroes to resent the killing of their fellows at Danville, as I remember, by banding themselves together solidly against the whites. That was about the purport of it; I cannot give you the exact language. He proceeded then to denounce Mahone loudly and roundly and everybody who he said was a Mahone man. He declared that the Mahone party was composed of negroes, white negroes and black negroes; and he said that the white negroes were meaner than the black negroes. He got down, and had not been down very long, perhaps half an hour maybe, as I remember, and he mounted that rock again and made another stump speech, stating that Mahone had stolen the poll-box at Gash Mills; that he had done so because it was a strong Democratic precinct and to throw that vote out. He called upon the white people to rally and resent such conduct by voting the white man's ticket. He then proceeded to attack J. H. Wood, a lawyer of our town, who was one of the Readjuster candidates for the house of delegates. He proceeded to state he wanted to know if Harve Wood, as he called him, was on the ground; if he was, he had a word to say in which he was interested. His language was inflammatory, and his style and manner were inflammatory and exceedingly denunciatory. He stated that he had understood that Harve Wood had, at some recent time during the campaign, perhaps in some speech, used certain language, which I do not remember, and he wanted to state on that occasion that he believed that he had used it and that he lied when he used that language, and that he believed that he knew he lied when he used it.

By Mr. LAPHAM:

Q. Was this at the polls?—A. Right at the polls; as close to the poll window as from here to that door; closer.

Q. How many people were assembled there?—A. I suppose a thousand.

Q. Mostly white people?—A. Yes, sir; mostly white people; a good many negroes there; I suppose one hundred; hardly one hundred at any one time.

Q. I do not care to follow through the details of what was said there. You spoke of your own personal danger. What occurred?—A. He proceeded to denounce me and Senator Bailey in language which was less severe than that in which he denounced Mr. Wood. Well, the calls for me were so numerous that I could not exactly disregard them. His language was very insulting. I got upon the rock after he got down and stood there a moment with my arms folded. He swung—somebody said he rubbed—against me, which I understood to be a sort of a physical challenge of some sort; and it was, certainly. I stood and looked at the crowd and said that I wanted the attention of every Readjuster in that audience, and that I had only this to say, that I wanted the Readjusters on this occasion to keep the peace, go quietly to the polls, and fearlessly deposit their ballots, but keep the peace. I then got down. In the afternoon I was assaulted a number of times; that is, effort was

made to assault me. On one occasion I was saved by a Readjuster constable. The second time the town sergeant and the deputy sheriff, both of whom were Democrats, saved me. They did their duty on that occasion; those two Democrats.

Q. That is, they protected you from violence?—A. They protected me, but it was all they could do to do it, particularly from one man, on this occasion that I am alluding to.

Q. Did you see anybody armed that day?—A. I cannot say that I did; but I suppose there were plenty of arms on the ground, but they were concealed.

Q. I didn't ask you as to that; my only inquiry was as to whether they were exhibited.—A. Oh, no; there were no arms visible there that day.

Q. I think you have said the race issue had never been drawn in politics in Virginia before.—A. I think not. I have never known it to be drawn before.

Q. Was that paper [referring to Enterprise extra] in general circulation?—A. I was told it was. I saw a number of them in the hands of voters, but it is a matter of common notoriety there. I think it was.

Q. Is there such a paper as the Wytheville Enterprise?—A. Oh, yes; a daily morning paper—a Democratic paper.

By Mr. LAPHAM:

Q. Published how far from you?—A. Seventy-two miles.

Q. I forgot whether I asked you what day these circulars were distributed there?—A. I think it was the morning of the election probably, but might have been the night before; but I think I saw it on the morning of election as the voters came. Several of them handed them to me and asked me about them, and what explanation could be made.

By Mr. VANCE:

Q. You live in Bristol, do you?—A. I live in Goodson.

Q. That is the adjoining town to Bristol?—A. Yes, sir; it is the Virginia half of what is generally known as Bristol.

Q. That is some 250 miles west of Danville by rail, is it not?—A. I suppose by rail it would be, as I understand it, 264 miles. We are 204 miles from Lynchburg, and I think it is 60 from there to Danville.

Q. Sixty-six.—A. Well, about 270 miles then.

Q. You were there, home, and knew nothing about this riot in Virginia except what you heard?—A. Nothing but what I heard by telegraph put in the papers.

Q. What was it that you said that was circulated on the day of the election—that paper that you had in your hand [referring to extra]—or the day before?—A. Yes; I think so.

Q. Were there any other papers concerning the Danville matter circulated in your county?—A. I think there was; but I am not able to name any more at present.

Q. Were there some on your side of the question?—A. Yes, sir.

Q. Have you got any of those?—A. I have not.

Q. Didn't bring any?—A. Didn't bring any of them with me. One of them I will state to you, and the only one I think was circulated contained a letter from Mayor Johnson, and one from Collector Raulston. I am not sure whether he is collector or not, but probably was. It contained their letters explanatory of this "Coalition rule in Danville" circular.

Q. Well, it was a little more than explanatory, wasn't it. It was denunciatory, wasn't it?—A. It probably was.

Mr. LAPHAM. We have got those in evidence.

The WITNESS. That is what I allude to. That paper I helped circulate myself.

By Mr. VANCE:

Q. Well, the Danville circular, "Coalition rule in Danville," as it is called, you say was distributed, you think, in your county on the Thursday before the election?—A. Well, as well as I can remember—I do not speak accurately—that is about the time. I guess it was about that time. I took no note of the time.

Q. How long until the counter-denunciatory denials came along?—A. I guess near that time. I don't remember the day now.

Q. One was not far behind the other?—A. Not far, I think.

Q. You say that there was an effort made to raise the race issue—"an immense effort" was your language—to raise the race issue in the last canvass?—A. I don't know whether I used the word "immense" or not, but I have no objection to using it now; I think there was.

Q. You did use it before, "to raise the race issue"?—A. In some places, governor; excuse me.

Q. Wherever you have knowledge in the matter?—A. Well, I desire to state this, that I was in some counties where I think an effort was made to suppress it.

Q. And you think, then, it was not general, but in some places there was an effort made to suppress it?—A. Yes, sir.

Q. I will ask you if you have any knowledge of the negro population of Virginia; if they are not more nearly a unit than the whites are?—A. I believe they are, because the whites are divided, and the whites are divided in greater proportion, speaking of the two sides, than the negroes are.

Q. Now, taking politics, which are bad enough at best according to the usual custom of parties, was there any harm in the white men trying to unite their race when they saw the other was united?—A. I do not think there was, if you use legitimate means.

Q. There was certainly no harm in going to a white man and saying, "Now, you see the negroes are all solid one way, why cannot we be"?—A. I cannot answer that question by saying yes or no. I will say this in answer to your question, that if the negroes were banded together in opposition to the whites *per se*, because the people were white, then I believe the whites would be justifiable in banding together against the negroes because they were negroes, but I do not think—

Q. But one race represented a party?

Mr. LAPHAM. Let him finish, please.

The WITNESS. I say I do not think that the solidity of the negro race is against the white people because they are white.

By Mr. VANCE:

Q. But it is because they are Democrats.—A. I think it is because they are in Virginia. You must allow me to speak in Virginia. I think that in Virginia, certainly, it is because, first, of the opposition to the enfranchisement of the colored men—probably, first, the opposition to his freedom, because the white people did not want him free; in the second place, because they had nothing to do with freeing him; in the third place, because the white people were opposed to the enfranchisement of the negro; in the fourth place, they attempted, by means of the capitation tax as a prerequisite for voting, to take from the negroes the powers and facilities for voting; in the next place, because they regarded—I think they regarded—the whipping-post as aimed at the

colored people because they were colored and it would disfranchise them. I mention those as the reasons why I think the colored people were disposed to be solid against what they regarded as the Democratic party.

Q. In the first place, the white people of Virginia, the Democrats of Virginia, constituting the bulk of the white people, accepted the constitution and made Mr. Walker governor, which gave the right of suffrage to the negroes, did they not?—A. Well, sir; my idea was a little different. My idea was that we were unable to elect Walker to expurgate the constitution without the help of the colored people, and we were proceeding to get it.

Q. What do you mean by expurgating the constitution?—A. Well, as the constitution was first formed it disfranchised, as I understood, the larger portion of the respectable and influential white voters of the State.

Q. How so?—A. If I had the poll of Virginia I could read it to you.

Q. I know, but you can explain it to me; how did it disfranchise white people?—A. I do not like to state under oath matters that you cannot correctly state without looking at the authorities; but you understand that there were two clauses which General Grant permitted the people to vote on, and that was called expurgating the constitution. That was in 1869. In 1869 I was not allowed to vote myself, because I had held a position once before the war. I held a little 25 cent post-office we had at our residence as a family matter, and that prevented me from voting. Now, if the constitution had not been expurgated by these means in 1869, then every man who ever held a position of any kind, even as I remember it in a town council, by which he had taken an oath to support the Constitution of the United States, and had afterwards engaged in the rebellion, he was not allowed to vote.

Q. Now, it is not worth while to go into all that complicated explanation.—A. No, I do not wish to do it, because, in answer to your question——

Q. The fact remains, that under the constitution adopted in that year, 1869, the colored people were given the right of suffrage; is not that so?—A. No, sir; the colored people had the right of suffrage at first; I did not.

Q. Where did they get it?—A. They got it under the Constitution of the United States as amended, as I understand.

Q. No, sir; the Supreme Court of the United States have said that there is no such thing as suffrage guaranteed by the Constitution of the United States. It all comes from the State.—A. Why, did not the amendment to the Constitution say that all men, without regard to race, color, or previous condition of servitude—some such language as that—are citizens? That is my recollection.

Q. Well, you have got it all wrong; but we will not go into that question. The constitution adopted that year by the white people who elected Mr. Walker as governor was a very liberal one towards the colored people, was it not?—A. I think it was.

Q. And under that constitution ever since the colored people in Virginia have voted, have they not?—A. I don't think they have got any right to vote from that constitution.

Q. You can have your own opinion about it, but they always have voted under that constitution?—A. Yes, sir.

Q. The constitution did not interfere with them then, except the amendment which was adopted in 1876, restricting it to those who had paid their poll-tax for the previous year. Now, I will ask you if at the

same election in 1869, in which the white people voted to give this liberal constitution and right of suffrage to the colored man, if the 90,000 of the colored people do not vote to exclude you and the white people from holding office and from voting?—A. I do not understand that the constitution gave them at that time the right to vote.

Q. Well, the constitution confirmed them in their right to vote which General Grant had conferred upon them?—A. It did not disturb it.

Q. Well, did not they vote to disturb you and other white men in your vote?—A. I can best answer by saying that at that time I could not vote and negroes could, and I used my very best efforts to get the negroes to vote, and every negro who voted at Goodson voted to expurgate the constitution and to enfranchise me, except two.

Q. Mr. Fowler, I was not asking you what became of you or your rights, or what the negroes at Goodson did. I ask you if 90,000 negroes in Virginia did not vote to disfranchise the white men at that election?—A. I do not remember the number.

Q. Did not the great bulk of the party do it?—A. I really am unable to answer that. It is a matter of record, but I know that a number of negroes were against expurgating the constitution. I know that as I know other matters of notoriety.

Q. Now, then, in that respect the colored people have no right to complain of the white people about opposing their right of suffrage, have they?—A. I have always taken the ground that they had a right to complain of the restriction upon suffrage placed by the constitution as amended in the State of Virginia, to make them pay the capitation tax for the preceding year before they could vote.

Q. You think a man has a constitutional right to contribute toward the control of the country without paying taxes?—A. No, sir; I don't think that.

Q. What do you mean, then?—A. I believe this: That if a man is liable to go to war and to do public service he has got a right in saying at the ballot-box whether there shall be a war.

Q. Irrespective of any money he contributes?—A. I do; because money does not get into the question when you come into the public service.

Q. Well, money has right smart to do with the Government when there is no war on hand, hasn't it?—A. Oh, yes.

Q. And has still more when there is a war on hand, hasn't it?—A. But I say when a man will allow me to enjoy my property I will allow him to enjoy his freedom and his participation in the Government.

Q. And you would allow him all these privileges, and even to go to the legislature, without contributing a single cent himself?—A. Oh, well; this world—but we are not in paradise, you know, yet.

Q. No, unless you have Readjusters all over the world, and that is very near to it. In answer to the question I started out to ask, "why the negroes are banded together in Virginia, and what harm the white folks were doing in banding together in the same way," you have given me seven or eight reasons.—A. I claim that the negroes are not banded together against the white folks.

Q. So you have said.—A. They are not banded against me, and I claim to be a white man. I believe they are pretty solid, generally speaking, against the Democratic white men, because they believe the Democratic white people are disposed to trench upon their public and political privileges.

Q. Exactly. Well, now, I ask you if the white men are banded against the negroes simply because they are negroes, or because they are members of the Republican party, which professes principles antagonistic to

the principles of the Democratic party?—A. I think you have nearly struck it. I think it is because that they believe the colored people will vote the Republican ticket, and won't vote the Democratic ticket.

Q. Exactly. Then it is not so much on account of their color as it is on account of their party that they are affiliated with?—A. Well, there is a large prejudice in the South against him, because he is colored.

Q. That is a social prejudice, isn't it?—A. Yes; I think so.

Q. They object to social equality?—A. Oh, certainly; I don't think the negroes claim it or want it.

Q. Now, the question comes back with all this preliminary discussion that I originally proposed. Is there any intrinsic harm of the white people appealing to their own race to join the Democratic party as against the negro?—A. I think it gets up the race issue and gets up trouble, and if it is to be kept up, I do not want to live in the South, I want to get out of it.

Q. That would be a matter of taste, of course?—A. Yes, sir; I so construe it.

Q. But does not the standing together of the colored people tend to keep up the race issue also; are they not to blame in some respects for the race issue?—A. I do not know; I do not wish to give a political answer to a question of that kind.

Q. It don't matter to me what sort of an answer you give; I am only responsible for the questions; you are responsible for the answer.—A. Well, I don't know; I have regarded the negroes as far as my observation is concerned as a very manageable race of people.

Q. Well, they seem to me very manageable; there are some exceptions; you find impudent negroes, of course. What I mean is this; let me illustrate it for you: Suppose the negroes are divided in their political notions as other men, would there be any race issue, could there be?—A. I do not know that there would. I think I answered that a little bit ago, that I think the prejudice largely against the colored man comes from two sources; one is because he is black and unlike the white man, and they do not want an admixture of the races. I do not want it or anything that will lead to the admixture of the races; and the next place because he votes the Republican ticket; that is what it comes from.

Q. Now, you understood my question; I do not think you answer it candidly?—A. I will aim to do so.

Q. If the colored people were divided in their politics like the whites, or like other people, would there be any race issue?—A. I think there would still be the prejudice against the colored people.

Q. Oh, I know, socially?—A. Yes, sir.

Q. But would there be any race issue in politics?—A. I do not believe there would if they mixed up. My other answer answered that. I say I believe the opposition comes largely from the Democrat, because he votes the Republican ticket. Now, if he voted the Democratic ticket, I do not think it would exist. I say that would obliterate that.

Q. Do you believe it would be better for the colored man if he did do that way?—A. I do not know about that; it might be better physically for him at present.

Q. Would it be any worse for him politically? Would his rights be in any more danger if he had a large portion of the Democratic party engaged in defending him?—A. It depends whether the Democratic party would do in the future what it has done in the past in my estimation.

Q. My question is, if a large section of the colored people belonged to the Democratic party, and the Democratic party were zealous in sup-

porting their rights because they belonged to them, would the balance of them that remained Republicans be injured in any way by that?—

A. That might be. You see that that would liberalize the Democracy towards them. Why then——

Q. I ask you, don't you think it would liberalize the Democrats towards them if they ceased their compact organization and voted like other men?—A. I don't know about that; I cannot say positively; I think it would; it might do so.

Q. Of course, you can only give your opinion as a future political event?—A. Yes, sir.

Q. Now, you say the first news you got there of this riot had a tendency to consolidate the colored men?—A. I think so.

Q. It was one of indignation about the killing of their race?—A. Well, I think they felt an effort was being made to consolidate the white vote against them.

Q. Did not you see in the papers a telegram from General Mahone calling upon the colored people to rally and avenge the slaughter of their brethren at Danville?—A. I think I saw some such telegram published. I never knew whether it was authentic or not.

Q. You didn't see any denial of it, did you?—A. I don't know that I did.

Q. You have described what you call a state of violence there on the day of election, consisting of a procession of fifty or seventy-five men on horseback with a flag, and on it the name of some candidate, "the white man's candidate," and they came into town shouting and hollering and stirring up Cain generally. That is what you described, wasn't it?—A. Yes, sir; that is substantially what I said.

Q. Did you ever see that done before by any party?—A. I don't think I ever did in an election, certainly not in a race issue. I have seen men ride into town on certain political occasions, I am not certain about it being at an election though, in which they were in regular procession, and maybe flying flags. I have seen them carrying mullein stalks for Governor McMullen, but that was not at an election.

Q. Do you not know, as a matter of the history of our politics, that such things are common in almost every State in the Union?

Mr. LAPHAM. On election day, do you mean?

Mr. VANCE. Yes; on election days.

The WITNESS. I don't think it has been common under my observation; I know they have not been common, but I am not sure whether I have ever seen a regular procession at an election; I am not sure; I may have done so.

Q. You spoke of certain leaders taking possession of the polls.—A. I did not mean that they had taken possession of the polls exactly. No; I said they had each side of the window.

Q. To challenge votes and to superintend the election?—A. And to check them off.

Q. Was that anything uncommon?—A. I thought they ought to have divided the sides of the window.

Q. But if they got the best places first and would not give them up, you think that was unfair?—A. I think it was; I think they ought to have allowed equal chances.

Q. Was any man's right of suffrage interfered with illegally?—A. I think so.

Q. How?—A. I imagine one negro, who lived at the Virginia House for years, and who has testified that he paid his capitation tax regularly, and had done so for years—he was a regular registered voter, and he

was denied a vote simply because his wife shortly before that had gone to Chattanooga.

Q. Who denied it?—A. The Democratic judges of the election.

Q. Did you have any other kind of judges besides Democrats?—A. We had two Democrats and one Readjuster.

Q. Who appointed them?—A. I suppose they were appointed by the county judge—the gentleman I alluded to a moment ago.

Q. Who appointed him?—A. He was appointed by the Readjuster legislature.

Q. Exactly; so the source of that outrageous violation of the rights of the American citizen can be traced back to his own party?—A. Yes; but he was not a Readjuster at the time of this election at all.

Q. He had changed, had he?—A. Yes, sir.

Q. He had got religion?—A. Got religion; yes, sir.

Q. And forsaken his sins?—A. According to the Democratic catechism.

Q. I am glad to hear it. We will take a man in. That is a mere opinion of yours. Perhaps the judges were right; they decided upon the law, and you state they decided wrong.—A. I say I think they did, and I say it for this reason: It was not an hour after that until a white man came up and remarked, "My family has been all summer in Carter, Tenn., and I have been there myself, but I desire to vote," and they let him vote.

Q. And you think the decision ought to have been the same?—A. I do. I then saw another man come up and vote the Democratic ticket. He said he had been for two years in the State of Texas. He voted.

Q. Was there anything said about his *bona fide* change of residence?—A. Yes, sir.

Q. That he had *bona fide* changed his residence to Texas for two years?—A. He said he had always entertained the opinion that at some period he was coming back to Virginia.

Q. Oh, it is not worth while to inquire into the circumstances upon which those judges based their decision.—A. No, sir; I only allude to it in response to your question.

Q. That is the character of the thing you complain of, and that interference was in the name of the law. What my question pertained to, was there any violent interference with a man's right to vote?—A. I don't think there was; no individual case.

Q. Who was it made this speech you spoke of, in which he denounced you?—A. Judge Rhea, judge of the county court of our county.

Q. He made a pretty bitter one, did he?—A. I thought it was the most bitter I ever heard in my life.

Q. And he denounced some men as liars?—A. Yes, sir; one of the candidates who was there on the ground.

Q. The man was there present on the ground?—A. Yes, sir.

Q. And one of the candidates?—A. Yes, sir.

Q. You had never heard of such a thing before?—A. Not in a county judge, the chief peace officer of the county.

Q. You had never heard a political candidate of any sort or orator of any sort get up on the stump and denounce his adversary as a liar?—A. I would say that I may have heard things of that sort. I don't think that I ever saw them at the polls.

Q. It is very rare that there is any speaking at the polls on the day of election, is it not?—A. Yes, sir; that is my experience.

Q. I have only seen it a few times in my life. What did they denounce you for?—A. I don't remember; but he alluded disparagingly to

me a time or two. I don't remember what he said. I believe he said that we belonged to the negro party. I think it was some such remark as that; that we belonged to the negro party; that we had forsaken the white people and gone to negroes. I believe that that was about it.

Q. You had once been a Democrat, had you not?—A. Yes, sir.

Q. And joined the Readjuster party?—A. Yes, sir.

Q. And after you had settled the debt, as you thought it ought to be settled, you concluded to go on then, make a through trip of it, and join the Republican party?—A. Yes, sir; I had no confidence in the willingness of the Democrats to perfect the debt settlement, because they had opposed it all the time, and I thought it ought to be trusted to its friends until it was complete.

Q. Well, this last season the Supreme Court declared the bill which had been in contention constitutional, and the convention assembled and agreed to accept it, did they not?—A. Yes, sir; that is my understanding.

Q. Then what was your excuse for staying where you were?—A. My excuse was exactly—if you want me to state it, I will tell you. In the first place, I did not believe the debt question was settled. I regarded it as rocky then, and I think it is rocky now, and it requires patching and amending and nearly everything of that sort, and it ought to be left in the hands of its friends. In the second place, I did not then agree and I never agreed with the Democrats on the question of tariff at all, and I think that is a live issue and a principal one.

Q. So you concluded to stay?—A. You can call it that way if you choose; yes, sir.

Q. What position do you hold now?—A. I am clerk of the United States court at Abingdon; have been for about 30 days.

Q. Who appointed you?—A. Judge Bond and Judge Paul.

Q. Were you in favor of the original repeal of this capitation tax as a prerequisite for voting?—A. I was in the legislature and voted to repeal it.

Q. Voted to repeal it?—A. Excuse me; no, sir. I was in the legislature that adopted it, and voted against its adoption in the legislature, and at the polls afterwards. I was not in the legislature that repealed it. The legislature of 1879 repealed it. Excuse me again; I was in it. It goes for two legislatures. I was not in the legislature of '79 which proposed the amendment repealing it, but I was in the one of 1881 which completed the repeal and sent it before the people.

Q. You voted against it both times?—A. Yes, sir; from the first, uncompromisingly requiring a man to pay his capitation tax.

Q. I understood you to say you voted against the proposition to repeal?—A. No, sir; I voted against the proposition to adopt that amendment to the constitution which put that restriction on. Then in 1881 I voted for its repeal.

Q. In 1881 you voted for its repeal?—A. Yes, sir.

Q. Well, what legislature was it that adopted it?—A. 1879. I proposed it to the legislature of 1881. I was not a member of the legislature.

By Mr. LAPHAM:

Q. Proposed the repeal?—A. Yes, sir; proposed the repeal.

By Mr. VANCE:

Q. Proposed the repeal in 1879?—A. Yes, sir.

Q. Well, you were a Democrat then, were you not?—A. No, sir; I was a Readjuster.

Q. Was not this amendment to the constitution adopted in 1876?—
A. Yes, sir.

Q. Were you acting with the Democratic party then?—A. I suppose you would say I was acting with the Conservative party; there was not any Democratic party in Virginia.

Q. Well, the Conservative Democratic party, you may call it.—A. It seems to me I was in favor of the readjusting of the debt and made my campaign upon that issue.

Q. You did not, then, split off of the organization at that time?—A. Not in national matters.

Q. How did you vote on that tax proposition, then?—A. In 1876?

Q. Yes.—A. I have just stated I voted against adopting the amendment to the constitution which put that restriction on suffrage; was uncompromisingly hostile to it.

Q. And then in 1879?—A. I was not a member of the legislature in 1879 which proposed the new amendment repealing it.

Q. But you were in 1881?—A. I was in 1881, which adopted it. The first amendment that put this restriction on suffrage had to pass two legislatures and the people, and so the one repealing it had to pass the two legislatures and the people.

Q. Now, in that legislature that proposed its repeal, and in the one that finally effected its repeal, I ask you if a large portion, perhaps, too, a majority, of the Democrats of those legislatures did not vote for the repeal?—A. My understanding is that the Democrats as a body, or, to put it differently, the opponents of the Readjuster party, in 1879 voted against proposing that amendment. If there was an exception to it, I do not now remember it; but in 1881, when it came for the second time before the legislature, several members of the Democratic party voted to repeal it, and stated that they had changed.

Q. Did not the majority of them do so?—A. No, sir; I think not.

Q. It took two-thirds, didn't it, to amend the constitution?—A. Oh, no, sir; I think not.

Q. How many did it take; just a simple majority?—A. I believe so at present. I may be wrong about that. I think it took a majority only.

Q. You cannot state whether a majority of the Democrats in the legislature voted for the amendment repealing the tax or not, can you?—

A. In 1881, I think not. I think it was a majority of the Democracy that did that.

Q. What knowledge have you about how the Democratic people voted at the polls?—A. They divided on it.

Q. Was not there a very large portion of them who voted for it?—
A. A considerable portion of them did, is my understanding. I do not remember. I have not charged my memory with those figures.

Q. When was this constitutional amendment adopted (excuse me for asking you so many questions, I am not familiar with it), this amendment to the constitution imposing a tax as a prerequisite for suffrage?—

A. In 1873—you see, we elect legislatures in the odd years—in 1873 that legislature proposed certain amendments, including this one restricting suffrage. It passed it and sent it down to the legislature elected in 1875. That was my first legislature. It came up then for passage before that legislature, and that legislature having adopted it, that made two; then, at the ensuing May election, is my recollection. Then the people voted upon it and the people adopted it.

Q. What was the vote then by the people; how many votes for and

how many against it?—A. I don't remember. I think there was a considerable majority in favor of adopting it.

Q. Was there only about 9,000 votes against it?—A. I do not remember the figures.

Q. Well, it was almost unanimous, was it not?—A. No, sir; I think the popular vote in my county—in my county I think there was only a very few votes difference. I do not remember the figures.

Q. The vote against that tax was not nearly the strength of the colored vote in the State, was it?—A. It is very likely that is so. I have not the figures. I had no idea I would need them.

Q. I am told there were only about 9,000 in the whole State against that proposition imposing this tax as a prerequisite for voting.—A. I supposed it was more, but don't know.

Q. The colored vote is something like 100,000, isn't it?—A. I don't know, but I understand they could vote 128,000.

Q. That shows that the colored people imposed the tax upon themselves, or at least submitted to it without opposition, does it not?—A. I do not want to answer that yes or no.

Q. Now, taking it for granted that what I have been informed is correct, that there were only 9,000 votes in the State against it, that would show that the great bulk of the colored people acquiesced in it?—A. Unquestionably. Do you want me to tell you why?

Q. I have just asked you for the fact, you can state why if you want to.—A. Well, I should like to qualify that answer. The facts are that the question was very little discussed before the people, and the average man didn't know he was voting for anything of the sort, and my recollection is that it was printed at the bottom of the ticket, "For the amendment to the constitution," and they adopted it in many instances without knowing anything about it.

Q. Be that as it may, the colored people having only cast 9,000 votes against it, supposing every vote cast against it was a colored man's vote, and they having in that way accepted and acquiesced in this law, they could not now make that a ground for the white people being unfriendly to their rights, could they?—A. I don't know about that.

Q. Those printed words that you spoke of on the bottom of the ticket as for the amendment to the constitution were on the Democratic ticket, were they not?—A. That is my recollection; but of course I didn't see these in many instances. That is my impression.

Q. Now, if all that was so, the colored people would not have a right to throw up to the white people that they were unfriendly to their rights on account of the tax as a prerequisite to voting, would they?—A. Well, I don't know about that. I think, as soon as they found out that it was done with a view to disfranchise the black votes, they would have had the right.

Q. You don't mean to say that they had not intelligence enough to comprehend such a question as to know that they could not vote without paying the tax?—A. No; they have got intelligence enough to know that, a good many of them have, and a great many of them could not read at all.

Q. But their leaders know, and they could find out very well. I have always found out that they were pretty hard to fool.—A. I think that in the spring election, when that was adopted, which elects probably a dozen candidates, they paid no attention to anything of that sort.

By Mr. LAPHAM:

Q. After the adoption of the constitutional amendment it became necessary for legislation to carry it out, didn't it?—A. Yes, sir.

Q. And that legislation was by the Democratic legislature in your State?—A. I think so.

Q. Now, what were the practical difficulties in the administration of the law under that constitution which operated to disfranchise colored people?—A. I can explain it to you by the way it worked in my county.

Q. That is just what I want.—A. In my county the men to whom you had to pay the capitation tax, the assessors and collectors, were of the opposite party, and the county officers were organized, so that the opposite party knew where to find them to qualify their lists a few days before the election. We hardly ever did. I have in numbers of instances hired men to ride at night to find the officers, with a list of 20 or 30 or 40 or 50 voters, and they have returned unsuccessful—have gone to their houses, but couldn't find where they were. Suppose a man had not been assessed at all. In that case he had to go to the assessor and be assessed. Then he had to go to the deputy treasurer, and find him and pay the tax, and if he failed to find either of those officers it resulted in his disfranchisement; he could not vote at all.

Q. So it was the practical operation of the law passed under this amendment that led to the difficulty?—A. I have in more than one instance asked the deputy treasurer where I would be able to find him the day before the election for the purpose of qualifying voters, and he has refused to tell me where he would be.

Q. Those were the ones that made this provision obnoxious?—A. Yes, sir.

Q. The amendment itself, if fair laws had been passed and fairly administered, would not have operated so injuriously?—A. I don't think you could get laws that would not operate with great hardship.

Q. Not so injuriously?—A. No, sir; but I don't believe you could make it convenient to the average uninformed voter to pay his tax. He forgets it until a few days before the election somebody reminds him of it.

Q. This election you had in your State last fall was the first you had since the repeal of that law?—A. Yes, sir; I think so.

Q. For the first time the people would be entitled to a free vote?—A. Yes, sir; provided they were registered.

Q. Is there a paper in your State known as the Staunton Vindicator?—A. I think there is.

Q. Published at Staunton?—A. Yes, sir.

Q. A Democratic paper?—A. I think it is, and always has been.

Q. Do you remember whether you saw circulars of which that is a copy [handing a paper to witness]?—A. I do not remember that I saw that; I may have seen it. There were a number of them flying about and being distributed, various ones; but I don't remember that I did.

Q. I would like to put this (it verifies itself) in evidence. It is an "extra" from that press.

Mr. VANCE. How does it verify itself?

Mr. LAPHAM. Well, it is an issue from the press of the Vindicator.

Mr. VANCE. It purports to be, and so does a forged note purport to be a genuine one. It says "Vindicator Extra."

Mr. LAPHAM. Well, if you make any question about it, we perhaps will have to make some more proof. I only desired to put it in in this connection.

Mr. VANCE. I think all papers of that sort ought to be shown to come from some responsible party, at least, and indorsed by somebody.

By Mr. LAPHAM:

Q. Where is Staunton; what part of the State?—A. It is in the Val-

ley opposite Charlottesville, opposite West Virginia; between the University and White Sulphur.

Mr. LAPHAM. We shall be able to make the proof if you insist upon it, of course; it is the same character as the circular the witness has proved, and I desire to have it come into the testimony at this point.

Mr. VANCE. I will make no objection; but it is very irregular.

Mr. LAPHAM. Very well; we will supply the proof, probably, before we finish. There is a part of the Richmond proceedings which is in the other.

The paper is as follows:

STAUNTON VINDICATOR—EXTRA.

FATAL RIOT IN DANVILLE—THREE NEGROES KILLED—TWO WHITE MEN MORTALLY WOUNDED.

[Special telegram to the Staunton Vindicator.]

DANVILLE, VA., *Sunday, Nov. 4—1 a. m.*

Yesterday afternoon the white people of Danville held a mass meeting to endorse the statements in the Danville circular, and to denounce the statements of the Coalition mayor contradicting them.

While the meeting was in session a crowd of negroes gathered in front of the building, some of them jeering the Democrats who were passing in. Presently a negro and a highly respectable young white man had a difficulty on the street. A large crowd of negroes gathered around the scene. The negro was severely punished by the white man, and several negroes in the crowd then drew pistols and dared the white men, who also had gathered around the scene, to come on.

One of the negroes fired a pistol at a group of five white men, and thereupon a fusillade of firearms ensued, in which about one hundred shots were fired. The negroes scattered in every direction and the white men held the ground.

Three negroes were killed and two were wounded, one of whom will probably die.

Among the white men shot was Mr. Walter H. Holland, who is dangerously wounded in the head, and it is feared, mortally. He is one of the most promising young men of Danville, and his sad fate has cast a gloom over the community. He is a son of C. G. Holland, chairman of the Democratic Congressional committee of this district, and one of the wealthiest citizens of Danville.

Mr. J. B. Seward, another of the white men, was shot through the body and will probably die.

All is quiet at the date of this telegram.

DANVILLE REGISTER.

LATER.

The mayor of Danville has called on Governor Cameron for troops, and the 1st Va. regiment, of Richmond, has received orders to hold itself in readiness.

Q. How far is Staunton from Wytheville?—A. I guess it is 125 or 140 miles.

Q. Your appointment as clerk came from the judges of the United States court?—A. Yes, sir.

Q. Judge Bond and who else?—A. Judge Paul. Bond is the circuit judge and Paul is the district judge. There is a particular statute which refers to the western district of Virginia, that they have both to consent.

APPEAL FROM RICHMOND TO THE WHITE RACE.

RICHMOND, *Sunday, November 4—7 p. m.*

This (Sunday) evening an immense mass meeting of white citizens of Richmond was held in Armory Hall. Col. Jno. B. Purcell was called to the chair. He stated the object of the meeting was simply to express sympathy for the white people of Danville. The following preamble and resolutions were unanimously adopted:

Whereas reliable information did reach this city on Saturday night that a conflict between the black and white races took place in Danville on yesterday, the result, as we believe, of a conspiracy to force a race issue upon the white people in the present

political canvass; and whereas the white citizens of Danville did lately address an appeal to their race in certain portions of Virginia setting forth the grievances under which they labor in consequence of this conspiracy; and whereas the veracity of that address has been questioned by Gen. Wm. Mahone in a paper lately published in the Richmond Whig: Therefore,

Resolved by the citizens of Richmond in public meeting assembled:

1st. That in the conflict which took place in Danville on yesterday, the white men of this city sympathize fully and cordially with their own race.

2d. That they have the fullest confidence in the truthfulness of the address written, signed, and circulated by certain leading citizens of Danville, with all of whom one or more of us are personally acquainted.

3d. That whenever or wherever this conflict shall take place in Virginia, all whites are affectionately, earnestly, and solemnly entreated to take the part of their own race.

4th. That the whole history of Virginia, up to and including the present time, shows that they have never raised the race issue, but in every case it has been forced upon the white men against their protest, and in an offensive form.

5th. That in this particular canvass the race issue has been deliberately forced upon the white men, and its irritation planned and sedulously cultivated by Wm. Mahone and his co-conspirators for their own wicked and selfish ends, and that upon their heads must rest all the responsibility for blood that may be shed or spilled by men who are driven to the conflict in the best interests of civilization.

WILLIAM S. GRAVELEY sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Martinsville, Henry County, Va.

Q. How far is that from Danville?—A. It is about 40 miles.

Q. In what direction?—A. It is about northwest.

Q. When did you see what is known as the "Danville circular"?—A. I could not tell exactly what time; probably ten days before the election.

Q. How extensively was it circulated in your country?—A. I could not say. I only saw two copies of it. I received one by mail myself and a young man named Jones, at Martinsville, had another, which was the only two I saw. I could hear a good deal about the circular being circulated. Everybody seemed to have seen it; but I didn't see but these two copies.

Q. You formerly lived in Danville?—A. Yes, sir.

Q. And when there, was a member of the Democratic club?—A. I was.

Q. This copy came to you by mail from where?—A. From Danville.

Q. Do you know who sent it?—A. No, sir; I do not. It was in a wrapper as a newspaper would come.

Q. You were acting with the Readjuster party in the last canvass, were you not?—A. Yes, sir.

Q. Do you know whether that was known at Danville?—A. Yes, sir; I suppose it was. I should think so. I have been with it from its conception, from 1879.

Q. You say this was largely talked about in your county. What was the effect of the appearance of that circular among the people in your locality?—A. I could not say exactly what the effect was, but my presumption is, from talking with Readjusters who had been voting with me all the while, that the State debt was settled and the condition of affairs in Danville, from this circular, would tend to show that negro rule was getting to be ruinous to the State, and they could not go with the Readjuster party any longer. It was now turning to be a negro party.

Q. How long have you been cognizant of the politics of your State; how long have you taken part in political affairs?—A. Four or five

years; not before 1879, much. I have taken active part in local meetings, club meetings, &c.

Q. Have you ever known the race issue to be distinctly made before the last canvass in the politics of the State?—A. I could not say it was in the politics of the State. It was the great issue with me in 1875 and 1876. That was what I understood to be the issue. I was quite young and do not suppose I understood much about politics, but thought I was voting down negroes.

Q. What was the effect of this circular in the community where you live, as to whether it produced an excited state of mind?—A. I don't know that it produced any effect with the colored people, for I don't think they were cognizant of the fact that the circular was being produced there. But with what was known as the Democratic Readjuster it had a tendency to create a race issue with them, to drive them from the Readjuster party to the Democratic party.

Q. Were there any other publications, except the Danville circular, that you remember, upon the subject?—A. No, sir; except a campaign paper circulated there to a considerable extent among Democrats.

Q. Any one having reference to this Danville circular?—A. No, sir.

Q. When did you first hear of the riot in Danville?—A. I heard of it on the evening that it occurred—Saturday evening.

Q. At what time?—A. I suppose about 5 o'clock; between 5 and 6 o'clock. It was telegraphed to Martinsville. There is a telegraph line connecting with Martinsville.

Q. How did you first hear it?—A. I first heard it merely as a rumor. It never was confirmed to me any way, as rumor, until I went to Danville several days afterwards. I never saw any of the telegrams, but heard of them.

Q. What was the report?—A. The report circulated there was that there was a considerable riot in Danville; that the whites and negroes were shooting each other down in the street; that a good many people were being shot; a considerable riot, and that news had been received by telegraph by the mayor of Martinsville to hold himself in readiness with any persons who were available to go to the assistance of the citizens.

Q. Do you remember whether the number killed was stated?—A. There were various statements; sometimes I would hear that seven or eight white and seven or eight negroes, and sometimes one, killed; and other statements that there were not any killed or any wounded, but there was a riot; but the general impression was that there had been a good many killed and wounded.

Q. Were there any representations as to who were the aggressors?—A. There were representations of that.

Q. The first report, I mean.—A. The first report was that the negroes were the aggressors, and had shot down Walter Holland and another white man, by telegrams, and that seven or eight negroes were shot in defense of them.

Q. What was the effect of the intelligence among the white people in your locality?—A. It created considerable excitement.

Q. When did you go to Danville, before or after the election?—A. I went after the election some days; I suppose three or four days afterwards.

Q. What was the condition of things on election day in your precinct?—A. I was not at my voting precinct. I paired off with a Democrat. I went to my home precinct, the lower part of the valley. The election proceeded quietly there; there was no disturbance or any at-

tempt to prevent the colored people from voting, or any attempt to prevent the white people from voting.

Q. This subject of the riot was prevalent there?—A. Yes, sir; and freely discussed.

Q. Was there anything talked about on election day but that?—A. No, sir; that was the only thing talked about principally.

Q. That was the issue sought to be made?—A. That was the issue sought to be made, and was talked a great deal.

Q. By the Democrats?—A. Yes, sir.

Q. And it led to the abandonment by white Readjusters of the ticket they had been supporting to the support of the Democratic ticket?—A. Yes, sir.

Q. Quite largely?—A. Yes, sir; quite largely—carried off a great many. It was talked of in a quiet way, or they were approached. I was approached several times by gentlemen in the precinct.

WILLIAM O. AUSTIN sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Pulaski County, Virginia.

Q. How far from Danville?—A. As the railroad runs, I think it is about 117 miles; probably 115 or 120 straight across.

Q. Were you about home the week prior to the election?—A. I was about home; I think I got home on Thursday before the election.

Q. When did you first see what is known as the Danville circular?—A. I first saw the Danville circular in Carroll County, Virginia, an adjoining county.

Q. What day?—A. I think it was on Wednesday evening before the election.

Q. You reached home Thursday. What did you find with reference to it there?—A. I mean when I reached home that it had been received in Southwestern Virginia, along the railroad, large packages of them; it was being distributed in my county.

Q. Do you know how extensively it was circulated in your county?—A. I know through information obtained from others. That information was to the effect that it was sent to every precinct in the county.

Q. By carriers?—A. That was my information.

Q. What was the effect of its circulation there upon the state of the public mind?—A. I can only give my opinion.

Q. I want you to state what you saw and what you heard.—A. From what I have heard I should say that the effect was to drive a considerable number of white votes from the Coalition party to the Democratic party, and it caused a number of voters, I think, to stay at home.

Q. From the result of the election, or from the voting, have you any opinion as to the number?—A. Well, sir, my opinion as to the number was based rather upon the number that I estimated at my own precinct. I concluded after the election, upon investigating the matter to some extent, that there had been about 13 in my own precinct—13 white voters influenced to vote against us. There being 9 precincts in my county, I thought if that was a fair average there was probably in the neighborhood of 100 voters changed.

Q. Is your county largely a white population?—A. The vote I think is about 3 or 4 white to one colored.

Q. How were the whites divided anterior to the last election?—A. Well, my county is a Democratic county.

Q. The whites prevailed over the Readjusters in the prior election?—
A. Yes, sir.

Q. When did you first hear of the Danville riot?—A. I first heard of the riot in Danville on Sunday morning, early Sunday morning. A colored man that waits on me brought the news to my room early on Sunday morning.

Q. Did you know that the intelligence reached there on Saturday?—
A. It reached my depot Saturday night, I mean. I live two miles and a half from the depot.

Q. What was the character of the report?—A. The first news that I received was that there was a riot in Danville; the whites and blacks were fighting. I could get Sunday morning no straight news as to the extent of the riot.

Q. Was there anything reported as to who were the aggressors?—
A. This colored man informed me that the report came to him was that the blacks had started the riot.

Mr. VANCE. You do not hold the Democratic party responsible for what the colored man told him, do you?

Mr. LAPHAM. No; I don't suppose directly that is evidence.

Q. Was there any fuller report reached there before the election?—
A. There were various reports came there before the election. I will state that on Monday before the election was our court day, and I was unwell; unable to be on the street until on Monday. I heard from my window and saw from my window considerable excitement. I live the next house to the court house, and a great many of the crowd passing my window, and I felt a little interest—I was sick—in knowing what was going on. I heard several gentlemen talking about the Danville affair—various versions given of it. I heard one man by the name of McKinnan (if this is evidence) give an exaggerated account of the affair under my window.

Q. Is he a Democrat?—A. I think he is; claims to be.

Q. What is it?—A. He said the white men were wading in blood in the city of Danville to assert their rights. He spoke that to a man across the street; was nearly at my window when he made the statement.

Q. What was the effect upon public sentiment of the reports in regard to this Danville riot?—A. I think it had the effect to drive a good many weak-kneed Coalitionists from our party.

Q. As to whether there was an excited state of public feeling?—A. Yes, sir; there was considerable excitement, and I think it had a tendency to increase it.

Q. How long have you taken part in politics?—A. I have been a Republican all my life.

Q. For many years before you had participated more or less in politics?—A. Yes, sir. I have taken part in politics more or less ever since I have been a voter.

Q. Has there ever been any definite drawing of the race issue before this canvass in your State?—A. I think the election of 1869 in our section the race issue was drawn to some extent.

Q. On what question?—A. In the election of 1869, the Republican candidates; one of them was a negro; Wells and Harris was the ticket; and it was used in our country.

Q. That fact?—A. Yes, sir; very successfully.

Q. Well, with that exception?—A. The Republican party in Virginia has always had to bear the odium of being the negro party; and it has

been used in Southwestern Virginia against the Republican party that they were the negro party.

Q. Had there ever been prior to this an effort to excite that issue based upon any facts, based upon any charges or accusations like this Danville riot, or the Danville circular; any means of that character been resorted to before that you remember?—A. I do not remember that there was ever any means of that kind used.

Q. You agree with the other witnesses, I suppose, that last fall was the first opportunity the colored people had to vote free from the capitation tax?—A. After 1876.

Q. I mean in 1876. Last fall they could have voted; all who were of age and registered were entitled to vote?—A. Yes, sir.

Q. Can you say whether the colored people were any alarmed by the circulation of this intelligence in your vicinity?—A. No, sir; I don't think they were.

E. W. BARKESDALE sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Martinsville, Henry County, Virginia. That is my headquarters now.

Q. How far is that from Danville?—A. It is about 40 miles, I think.

Q. Were you in Danville much?—A. Yes, sir.

Q. Had you ever lived there?—A. Yes, sir.

Q. Until what time had you lived there?—A. I have been off and on there for the last ten or twelve years.

Q. What county did you live in most of the time?—A. Halifax County I was born in.

Q. Was there anything peculiar about the political contest during the last year, as to the temper of the parties? If so, state what it was.—A. Well, it was the most exciting canvass I ever saw; both sides seemed to be excited.

Q. Was it a violent contest?—A. Yes, sir.

Q. Were you in Danville about the first of October; somewhere along in October?—A. Yes, sir.

Q. What do you know about the threats made by Democrats in respect to the election?—A. Well, they said that they intended to carry the town; that is about all. I didn't hear anything much said.

Q. Let me call your attention to an incident that occurred about the first of October, was it not?—A. Yes, sir; I was coming up street with a gentleman, and he told me it was time for me to change my politics.

Q. Who was the gentleman?—A. His name is Church.

Q. What are his politics?—A. Democratic.

Q. What was he saying?—A. He said they intended to carry the town, and he knew they were going to have the biggest row in the world, and it was going to start at the headquarters place where it started; that is about all he said.

Q. What was said in that conversation about bloodshed?—A. I inferred from his remarks that they intended to carry—

Q. I did not ask what you inferred, but what he said.—A. That is what he said; he said there was going to be the biggest row ever was in the world, and it was going to start right at the custom-house, at headquarters.

By Mr. VANCE:

Q. Who was it said that?—A. Church.

By the CHAIRMAN:

Q. Was Mr. Church one of the signers of this circular?—A. I don't know whether he was or not.

Q. Did you ever call your attention to a conversation in Chatham?—

A. Yes, sir; I came by Chatham on my way from the Southwest on the 19th, and I met a gentleman who advised me not to go.

Q. Not to go where?—A. Danville. I asked him why, and he said that that was enough for him to say. That is all he said.

By Mr. VANCE:

Q. Who was that?—A. George T. Wright, Commonwealth attorney of Pittsylvania County.

By the CHAIRMAN:

Q. County attorney of that county?—A. Yes, sir.

Q. Was he a Democrat?—A. Yes, sir; he is a Democrat; at least he says he is. I don't know what he is.

Q. Were you present at this speech of Colonel Sims's in front of the court-house?—A. Yes, sir.

Q. What advice did he give the colored people?—A. He advised them to vote their honest sentiments out and out; that is about all; he advised them to vote for him of course; to vote the ticket.

Q. Did he give them any advice in respect to insults from anybody?—A. He told them, I think, to go on quietly, and if anybody insulted them to not pay any attention to it, but go on and vote and go on home.

Q. Were you with Colonel Sims in other places in the course of the canvass?—A. Yes, sir; I heard his speech at Mount Airy; I heard it at Straight Stone, and I heard it at Hill Grove.

Q. What was the tenor of his speeches at those places?—A. Very conservative. He advised them to go ahead and vote just exactly any way they wanted to vote; and whether they voted for him, if they reported to him that anybody interfered with them he would have them prosecuted.

Q. When did you first hear Captain Sims make any reference to the Danville circular; when did he first learn of it?—A. I think it was either Tuesday night or Wednesday night before he made the speech.

Q. Where was that?—A. That was, I think, in the custom-house.

Q. In Danville?—A. Yes, sir.

Q. The first allusion he made then to this circular was in Danville itself?—A. Yes, sir.

Q. And that was the Tuesday night before the election?—A. Yes, sir; I think it was.

Q. Well, the speech he made in front of the court-house was on Friday?—A. Yes, sir.

Q. Did you hear what he said about the signers of the circular?—A. Yes, sir.

Q. Did he speak of those signers of the circular as individuals, or did he speak of them in connection with this circular?—A. He just singled them out one by one, and finally wound up by saying, I think, they were all liars, scoundrels, or something of that sort; I can't remember exactly; but he singled them out one by one, and told what he thought of them.

Q. Was that in connection with their private life, or in connection with their signing the circular?—A. Just in connection with signing the circular. That is all I heard him say anything about.

Q. Was there any threatened violence during that night? Do you

know of any?—A. The mayor sent me the key to his room with the message that Sims and myself had better go back there and stay until the crowd got quiet; and we went back and staid, I suppose, about a quarter of an hour, or half an hour, or something like that, and then went on down the street.

Q. Did you see any signs of arms that night?—A. No, sir; I didn't see any at all—not one.

Q. When did Sims leave Danville?—A. He left Danville Sunday night after the speech.

Q. Under what circumstances?—A. Do you mean how he left?

Q. Yes.—A. I came over from Chatham, and he and I went down to the depot, and my father and brother were along—went with him to the depot.

Q. Was there any interference with him, or threatened interference?—A. No, sir.

Q. Did you find any armed men in the street?—A. Yes, sir.

Q. Did you use any threatening language to any one at the time Sims was speaking?—A. No, sir.

Q. Just describe the degree of excitement that existed at the time on Friday, Saturday, and Sunday in Danville.—A. I didn't stay in Danville. I started away from there Saturday morning and didn't come back until Sunday night, and then started off again Sunday night and didn't get back until the 20th.

Q. In what service were you?—A. Deputy marshal.

Q. You were engaged in your official duties?—A. Yes, sir.

Q. Did you see any circular where you live?—A. No, sir; I didn't see any. You see I was in Pittsylvania at the time of the canvass, very nearly all the time.

Q. You were there in connection with the marshal's service?—A. Yes, sir.

Q. Did you see any circulars there?—A. No, sir. The first time I saw it was when Colonel Sims showed it to me. I think it was at the custom-house; I don't remember exactly. We were first down at the Newton House, and then back there, and I forget whether it was at the custom house, or down at his room.

Q. Where were you on election day?—A. I was at Peytonsburg.

Q. Is that where you vote?—A. No, sir.

Q. Did you vote on that day?—A. I did not.

Q. Were you at a voting precinct?—A. Yes, sir; I was at Peytonsburg and Shockoe, and I was at Chatham in the morning.

Q. Was there any excitement in those places?—A. No, sir; none that I saw.

Q. How far from Danville?—A. One place is about 16 miles; Chatham, I suppose, is 16, and Shockoe Church is about the same, and Peytonsburg is about 25.

WASHINGTON, D. C., *March 10, 1884.*

W. E. SIMS sworn and examined.

By the CHAIRMAN:

Question. What is your business?—Answer. I am at present a clerk in the folding-room of the United States Senate. I am a lawyer by profession.

Q. How long have you lived in Pittsylvania County?—A. I have lived in Pittsylvania County since 1868.

Q. Where were you born and raised?—A. I was born and raised in Wilkinson County, Mississippi, with the exception of four years of my youth that were passed at Yale College, in Connecticut, and four more in the war in the army in Virginia.

Q. In the Union Army?—A. No, sir; in the Confederate army.

Q. What are your political antecedents?—A. Up to that time?

Q. Yes; you might state your political course.—A. So far as a man of my age was capable of being one, I was a Whig prior to the war, and was opposed to secession, as all my people were, so far as I know, but of course enlisted in the Confederate army with the balance of my State, Mississippi. After the war I accepted the result of it in good faith, the result being what I had anticipated. Although I fought four years as a Confederate soldier, and tried to discharge my duties as such, I do not remember ever to have seen the time when I supposed that that cause would be successful. After the year 1866, when the South had been restored to the Union, two parties arose in the South, and for a while there was a strong element of the Confederate soldiery represented in each party. In one party were the men who had determined fully to accept the results of the war. The other party seemed determined to rule through sectional prejudice and by trying to revive the feelings of the Confederate soldiery. General Longstreet and others represented one element and General Early and others represented another.

Mr. VANCE. Mr. Chairman, I feel bound to object to that kind of testimony. It is not testimony. It seems to me it is just a political disquisition of the party. I do not think it is testimony at all.

The CHAIRMAN. I think a general statement of his political antecedents is proper.

Mr. VANCE. Well, he could say he has been so and so, if it is necessary, but he is giving a disquisition upon the political parties of the country.

The CHAIRMAN (to the witness). Senator Vance objects to your making a detailed statement of your political antecedents. My question calls simply for a general statement of your political antecedents to show your connection with politics, and I think that would be the proper way to confine it to that.

The WITNESS. I was simply endeavoring to show the condition of parties; to show what my sentiments were, that is all. I will state it then more briefly in this way: On removing to Virginia my political sentiments were not in accord with these of the dominant party in Virginia, known as the Democratic party. That party dropped its element of Democracy and assumed the name of the Conservative party, and took into that Conservative party members of all of the old parties, Whigs, Republicans, and Democrats. I thought I could unite my fortunes with that party as being in sympathy with my political sentiments, and I did so. I remained in sympathy and in active co-operation with that party until I became satisfied that instead of their principles being conservative, they were radical, and calculated to keep alive all the old political sentiments prior to the war, and in 1882, in the spring, I formally abandoned my adherence to that party, and declared that I would go with it no longer. I had never been in sympathy with what was known as the Readjuster party in Virginia up to that time, believing, without any investigation of the State debt question, that it was opposed to the payment of the State debt. When I became satisfied that that was the only party in Virginia that was in favor of paying the State debt and that they were in sympathy with me in national political matters I joined that party, and have remained with it ever since.

Q. Have you been a candidate for office; and if so, how often, when,

and for what offices?—A. I have never been a candidate for any office that I remember, except in the year 1882. I was the candidate of the Coalition party of Virginia for Congress from the fifth Congressional district of Virginia, and in 1883 was the candidate of the same party to represent the 24th senatorial district in the legislature of Virginia.

Q. State the character of the canvass of your party during the last election in Pittsylvania County.—A. Pittsylvania County is by rights a Coalition county. It has a majority of colored people over the whites of the county, and all the colored people so far as I know, with the rarest exceptions, are Coalitionists. In addition to these are many white people who had expressed their determination to leave what was known as the Bourbon party, the Democratic party of Virginia, so that the county was Coalitionist legitimately to the extent of 500 or 600 votes. Our party determined in the beginning of the last canvass to make an effort to thoroughly organize the party, to bring out every vote to which we were entitled. As the colored vote was the largest vote of the party, we took immediately active steps to organize that vote so far as it was in sympathy with us, and at the same time we took steps to retain the white voters who were in sympathy with us. We knew that the county had been prior to that time through different means carried by the Democratic party, and we determined to watch every step of the Bourbon party and try to counteract the means which they had heretofore used, which we considered illegitimate. For this purpose we organized the party at every election precinct. There were 33 precincts in the county and town of Danville. I was honored by the party some time during the summer by being made its chairman for the county, including the town of Danville, which is in the county. I had three members of a committee to act with me from each election precinct in the county. I organized the party after this plan: I thoroughly purged the registration lists, as many men, both white and colored, Democrats and Republicans, were on those lists who had moved away or died; and I first made it my duty to ascertain the name of every voter at every precinct, and the political preferences of that voter; to find out what voters had moved away, and who were still voters according to the registration lists. The county is the largest I believe in the State of Virginia; over 1,600 square miles, and with 33 precincts. The labor was great, but it was accomplished, and I ascertained that we had a majority of fully 500 voters in the county of Pittsylvania, who were duly registered and qualified voters, ready and anxious to vote for our ticket, and then nothing remained except to adopt means to bring those voters to the polls and secure a fair and free election. We used no means to bring out those voters, or to influence them, except legitimate means. We resolved that the opposition party should have no excuse for any interference or intimidation, and all of our party leaders at every precinct were especially guarded and instructed not by sign or word to give any excuse to the Bourbon party for any act of intimidation. We only desired to bring out our legitimate vote, and our aims were all at that object.

Q. State what part you took in the State and county canvass, and the general character of your speeches.—A. I was a canvasser for the State at large, representing the Coalition party, and during the early part of the canvass, and in fact up to the last month of the canvass, was not in my county except, probably, once or twice a week, when I was occupied with the organizing of the party in the county. I made speeches in the counties of Craig, Pulaski, Franklin, Rappahannock, Culpeper, Shenandoah, Frederick, Powhatan, Louisa, and in several

other counties. The character of my speeches was to maintain the position taken by our party that it alone, since the end of the late war, had done anything in the interest of the people of Virginia; that the Bourbon party had promised and always failed to fulfill its promises; that it had piled debt upon debt, and adopted no means to meet the debt; that it lived by appeals to race prejudice and race passion, and by trying to array one section against another; that the time had come for Virginians to abandon that party and ally themselves with a national and progressive liberal party. I tried to show from the history of Virginia since the war, and all the acts of its legislature, that the position taken by our party was the true position. I never indulged in any personalities in any speech I made during the canvass, except in Spottsylvania County and in the town of Danville, and I only indulged in personalities on these two occasions because I and my party had been so wantonly and outrageously assailed personally.

Q. In what respect did your speech in Danville differ from others, and what was the general topic of your speech there?—A. My speech in Danville was the second speech that I had made to that constituency, and I was called on to make it by citizens two days before, who had just heard of the circulation of what is known as the Danville circular about "Coalition rule in Danville." I had appointments at different places, but informed my political friends that I could spare them Friday night, November 2, to answer that circular. They immediately issued notices to that effect. I have a copy of one of these notices, which reads as follows:

Colonel W. E. Sims will speak to night at 8 o'clock in front of the old post-office building to answer the circular entitled, "Coalition rule in Danville," sent to the Southwest, and the Valley, by the Democratic State Committee. This circular contains injurious allegations against the town of Danville, but has been concealed from the people of Danville. They ought therefore to attend the speaking and learn what is said against them for political effect by their pretended political friends. Come one! come all!! (Dated Friday, November 2, 1883.)

I arrived in Danville after dark on that night, having filled an appointment to speak 30 miles distant that day, and found the crowd had assembled and were waiting for me, and I immediately went from my room; found Mr. A. M. Wheeler just closing his speech. Having gone over the political issues before, I dwelt chiefly that night on the circular and on advice to my constituents as to their conduct on election day, which was only a few days distant. I had learned, wherever I had been throughout the county, that the Democratic party had great expectations as to what should be done in the town of Danville. They knew that we had a legitimate majority in Danville and vicinity of over 1,200 votes, and everywhere I could hear that they intended to overcome that majority by some means, but we were only to conjecture as to what means they would adopt. To these two subjects then I devoted my speech that night principally. I went through the Danville circular item by item. It is safe to say that out of over a thousand persons who were present not five Coalitionists had ever seen the circular, and I believe that a good many white Democrats were ignorant of its contents. The day before I had conversed with one of the signers of that circular, Mr. Ruffin, whom I met casually on the train, and who saw me reading the circular. He approached me and asked me with a smile on his face where I got that paper. I told him it was sent to me by a political friend from a distance, and I was amazed at it. His answer was, "We intended you to be amazed at it, and if somebody had not leaked, you wouldn't have had one of them now. We intended to spring that on

you before you had a chance to answer it." I said to him, "Mr. Ruffin, how could you sign such a paper as that, knowing, as you must know, that nine-tenths of the allegations in it are false?" His answer was that it had been brought to him to be signed by a member of the town committee; that Colonel Cabell was the chairman; that he said it was all important that it should be signed by high men in Danville, so as to influence the people in the southwest, and that he (Ruffin) at first had refused to sign it, because he did not know that but one allegation in that circular was true, but he was assured by the party who brought it to him that he could find others, so as to have at least one respectable man as a witness to every allegation of the circular, and that under these circumstances he (Ruffin) had signed the name of his firm, of Ruffin, Woolfolk & Blair to that circular.

Under these circumstances I commenced my speech, and I stated distinctly to the crowd, many of whom were Democrats and some of whom had signed that paper, what Mr. Ruffin had said. I stated that I heard that Mr. Ruffin or a member of his firm was in the crowd, and that if I misstated the conversation I had with him I wished him to correct it. I told the audience what Mr. Ruffin had told me. I said that I doubted not that other men besides Mr. Ruffin had been misled, just as he was, to sign that paper, and, if so, I had nothing to say against them, except that they ought not to belong to a party who would try by unfair means to induce them to put themselves in a false position; that I knew not what signers of that circular had done it willfully and knowingly, but that I must pronounce every man who had signed that paper knowing its contents, and who had pretended to sign it believing its contents, undeceived by any one, had told willful and malicious lies against the colored people. I appealed to the white men present and asked them if it was not mean and cowardly for white men, rich men, intelligent men to slander and villify the negro race when they knew how faithful the colored people had been to the Southern people during the late war; when they knew how respectful and polite the colored people were even up to that time; when they knew the ignorance of the colored people, owing to their late condition of slavery, and when they knew that on the white people of the South, on their kindness must to a great extent depend the elevation and education of these people who had been so true to them. I felt all that I said; I felt indignant that men who pretended to be Confederate soldiers should allow party zeal to carry them to the extent of villifying the colored people, whom I thought were objects of sympathy, and who should be cared for especially by Southern men who held the position that these signers of the circular did. I said that I had no words to apply to men who had signed that paper willfully and knowingly, and not deceived by others, except to brand them as willful and malicious liars, and slanderers of a race which they claimed to be inferior to them. At this point, in my speech, there was considerable excitement in the crowd. I did not hear exactly what was going on, but was informed by persons on the stand with me that Mr. Joel Oliver, who was a captain of the Danville Grays, a military company, had drawn his pistol, and other white Democrats had joined with him and were threatening to kill me on the spot, and that I had better desist from speaking.

Q. Was that said to you during the speech; while you were speaking?—A. Told to me on the stand while I was speaking; it was some minutes before the crowd became quiet enough for me to continue my speech; I raised my hand and motioned to them and talked as loud as I could, and told them please to keep quiet for a moment, I thought I

could settle the matter as soon as quiet was restored; I told them what had been told to me about these men drawing their pistols and threatening to shoot me; and I told them that there was no necessity for that; that if these men wanted to shoot me for anything that I had done that daylight was the time and a political meeting not the place for them to accomplish their purposes; then I said that I doubted not that men who sympathized with and espoused the cause of the Danville circular, which was filled with lies, would not hesitate to stab a man in the dark or shoot him in the back; that I had never known a liar who was not a coward; and that I branded before that people those men who were attempting to shoot me that night as cowards; that if they or the willful signers of that circular had aught to say against me and wanted to disprove the fact that they were liars or cowards that any one of them at any time could approach me in any manner he saw fit, and if I was convinced that I had erred I would publicly apologize, and if not, I would not; that I had no retractions to make at that time.

I then took up each allegation of the circular, and I showed by the records of Danville that nearly every allegation was false. I appealed to the Democrats who were present to correct me if I misstated a single fact from the records, and not one man interrupted me or denied anything that I stated about the facts alleged in that circular.

I thought then it was best in the apparently excited condition of the crowd, to give some advice as to the conduct of the party on election day, and I told my constituents that I was satisfied that an effort was being made to create a race excitement so as to have difficulties on the day of election, and if possible in that way to throw out the vote of the precincts where my party expected large majorities. I told them I was satisfied from the developments that any excuse would be seized on by the Democratic party to offer violence to the colored people; that I had heard that the Democratic party claimed that they feared violence from the colored people, and while every one knew that such an excuse was ridiculous, yet I hoped that the colored people would refrain from even a sign of violence; that if any of them had any weapons they had better leave them at home, and stop wearing them; that if white people could afford to wear them there, I did not think the colored people could; that if a white man offered any of them any indignity or insult or violence up to or including the day of election, they ought to pocket the insult, and bear the violence without saying one word, but go to the polls and vote their honest sentiments; when they went to the polls not even to do it with an air of bravado, but to go quietly and cast their ballot so as not to give the slightest offense to these men, who I was satisfied were seeking an excuse to make an assault upon them.

I asked them if they wanted to precipitate a race issue; if they wanted the white men to make any war on them, and that if they did not, they ought to follow my advice. I asked them if they would do it, and they responded that they would; I had no idea from the exhibition of feeling displayed that night by the colored people that they would sanction any violation of the instructions which I had given to them. They had followed my advice on previous occasions, and, I believe, had sufficient confidence in me to follow it again. It was for this reason that I offered them the advice I did. I feel guilty to-day of having unintentionally and unwittingly, in the interest of peace and order, given them advice which was seized on, as I believe, by their political enemies to slaughter them on the following day when they were unarmed.

Q. Where were you, and what did you do or see from Friday night, November 2d, to the evening of the election?—A. When I closed my speech on Friday night, a messenger came to me, who said he came from the mayor of the town, telling me that I would be killed that night if I went on the street, and that I had better go to his office which was in the same building from the front of which I made my speech and remain there until he or some of my friends could escort me to where I could sleep that night. As soon as the meeting had adjourned I went with several others to the mayor's office, and there met a prominent Democrat of the town of Danville. This Democrat told me——

By Mr. VANCE:

Q. Let us have his name.—A. I will give it if it is wanted.

By the CHAIRMAN:

Q. Senator Vance asks for the name.—A. Dr. R. V. Barksdale. He said that the men whom I had denounced as liars and cowards demanded a retraction; if I would go to the front of the building and take back all that I had said, he was satisfied that he could quiet the crowd that night, and that I would not be killed, otherwise I would be. I told him that what I had said I believed; that I was in the habit of calling things by their names, and I had no retraction to make; that I was going to my room, and immediately left the mayor's office and walked to my room, went through the crowd, many of my friends accompanying me all the way to my room where I slept that night. The next morning I heard from the friend who slept in the room with me, Mr. Verser, that the crowd was awaiting me outside, and that I was to be assaulted and shot as soon as I appeared on the street. I remarked to him that I did not believe a word of it; that cowards did not shoot men to their face or in the daytime. I went out of my room alone and went to the barber shop, and found these same men, these same Bourbons whom I had understood were making threats, standing in front of my room and on the sidewalk. I walked through the crowd, went to the barber shop, got shaved, went to a restaurant and had my breakfast. I had an appointment to speak 12 miles distant that day in the country. I ordered my buggy to be driven to the center of the street in front of the market, and got in the buggy with these same men standing around scowling and looking at me with their hands in their pockets, holding hurried consultations, moving backward and forward in front of me and all around me. Under these circumstances I drove out of the town.

Mr. VANCE. Mr. Sherman, will you have him give the names of some of those men standing on the sidewalk?

The CHAIRMAN. I would rather you would call that out on the cross-examination.

Mr. VANCE. I think I ought to object to it.

The WITNESS. Under these circumstances I drove out of town, remarking, as I did so, to my friend, "You see that what I have said is true, that when men lie they won't fight for it. A brave man will fight for the truth, but a coward won't fight for a lie." I filled my appointment that day, 12 miles distant; had to return to Danville that night in order to distribute my tickets, or make arrangements for distributing the tickets. When I arrived within 3 miles of the town of Danville, I met a colored man, whose name was William Brown. I had stopped to warm myself, while my friend, Mr. Verser, was getting a lunch at an eating-house near by. Brown told us that there had been a fearful row

in Danville that evening; that many men had been killed, and that he had heard white men and colored were killed; that the excitement was very great, and that armed squads were on the road awaiting my return to Danville, and that I would certainly be put to death that night if I went to Danville. Mr. Verser advised me to turn and go to my home at Chatham, about 16 miles distant. I told him no, that if I left Danville under those circumstances I could expect all of my political friends to abandon the polls on the following Tuesday and be afraid to vote as they wished to do; that my tickets had to be distributed to remote parts of the county; that I intended to go there that night to discharge my duty so far as I knew it, and so we drove into the town of Danville. We met armed men at several places who demanded to know whether I was in the buggy, but Mr. Verser, who was driving put whip to his horse and drove on rapidly. I saw two men aim guns at the buggy, but they did not fire; I think simply because they were not certain whether I was there. We approached the town by a bridge which would not ordinarily have been used by me in coming from that locality. I went to a friend's house—Colonel Raulston's; I had a key to his house and had the right to go there whenever I saw fit; and on reflection I thought it best to go there instead of courting the mob that night, hoping that by the next morning things would be quiet enough for me and others to try and allay the excitement, so as to bring out our party vote. I found, however, Colonel Raulston's house deserted, and not even a servant there. I then drove on down to Mr. Verser's room, which I usually occupied when in Danville. Just before arriving at the room we saw a dozen or more men rush out of Holland's factory and give signals, which were responded to by men from near the Arlington Hotel. Verser drove on rapidly to his room. I got out of the buggy and went up-stairs. Within three minutes from the time I went up the stairs there was a crowd, numbering, I should say, from 150 to 200 men, surrounding the building. I could see only those on one street, but there seemed to be a crowd on both streets, the building which I occupied being at the corner. Soon afterwards Mr. Verser came in and reported the condition of affairs; said they had been looking for me at the livery stable and elsewhere. I went to bed that night. Next morning I wrote a note to the mayor to know if he intended to do anything to try and allay the excitement in Danville sufficiently to bring out the vote on election day. I received only a verbal response; do not know whether the mayor sent it or not, as I have never seen him to talk to him since about the matter, but the message as received by me was that I had better leave town, and how I was to leave he, the mayor, could not advise me; that he had no control over the town; that he had turned the town over to Colonel Cabell, who had put the instigators of the mob in possession. He thought that they were looking for me, and that I had better leave; that it was impossible to hold any election there, and I had better abandon the idea. After receiving that message I determined still to use my utmost exertions to bring out the vote, as I honestly believed we could still carry the county if our friends in Danville and vicinity would vote, and I determined to go to Richmond, see the governor in person, and induce him, if possible, to send troops to Danville, in order to assure our friends that they would be safe in going to the polls on election day. I went on immediately on the arrival of my train, very early in the morning, shortly after sunrise, I think. The governor had not gotten up, and I wrote him a note, to which he sent a verbal reply that he would see me later in the day. As this was Monday morning, and the next day Tuesday—election day—I

thought no time should be wasted, and immediately wrote to the governor as follows :

RICHMOND, VA., *November 5, 1883.*

DEAR GOVERNOR : I have just arrived from Danville ; an armed mob still control the town ; negroes are driven out—not allowed to come on the streets. I have no idea a colored voter can vote to-morrow. The Funder mob were parading the streets at 11 last night with shotguns, rifles, &c., and firing could be heard in every part of the town. Nothing but United States troops can restore quiet or give our voters courage to come to the polls.

Yours, truly,

W. E. SIMS.

That is the letter which has been published in my contested-election case. I wrote to him, describing as accurately as I could the condition of affairs, and urging him to send troops. He immediately dressed and came down stairs, and we had a long conversation about the matter, in which conversation I told him that I was satisfied that no state troops would be of any service ; that if they were colored troops it would only bring on the war of races in Danville, and if they were white Democratic troops the chances were that they would sympathize with the mob in Danville and would only further intimidate the colored people. He determined that he would send troops that day or that night, but did not state whether he would call for Federal troops or whether he would send State militia.

I will file also with you later in the day copies of the correspondence which Governor Cameron furnished me, showing all that occurred between himself and the mayor and the sergeant of the town with regard to the condition of affairs there at that time. I left Richmond Monday evening, returned and reached Chatham, my home and voting place, early on Tuesday morning, the day of election, and found that in my temporary absence and in the confusion of affairs existing immediately after the Danville matter, when I had had to intrust my ballots to persons picked up at the spur of the moment, that the Bourbons had ascertained that I had not been able to see those whom I trusted, and they had consequently bribed and purchased my tickets for many of the precincts in the county and substituted false or bogus Readjuster tickets with Democratic names on them and bribed some of my men to distribute them as Readjuster tickets. I found, too, that at my precinct my party was thoroughly demoralized and intimidated ; that the Bourbons had circulated a report that I had abandoned the State and the party, and the only chance for white Readjusters to again obtain any recognition from Democrats was to abandon our party, and the only chance for the negroes was to come over in a body to the Democratic party. I was threatened that day that if I did any active work in bringing out the vote of my party I would certainly be killed. I was told that I could go and vote, if I voted peaceably and quietly, and went home and staid there ; but I did what I intended to do, staid at the polls until sunset and brought out every vote I could bring, hired horses and sent ballots to the precincts where my ballots were stolen, and tried as far as I could to see the ballots counted fairly at my precinct that night.

Q. What was the general character of the Democratic canvass in the State and county ?—A. In my county they endeavored from the first to raise the race issue. They knew that the Coalition party had a legitimate majority in the county, but that many of the Coalition party, both white and colored, were men who were dependent on Democrats for work, for employment, and that if the race issue was raised, so as to thoroughly arouse the white Democrats and property holders, they could

intimidate many of our men from voting, and thus carry the election. They acknowledged this to me in conversation, and claimed that it was legitimate means of warfare. The Coalition party was so anxious to avoid the race issue that they nominated W. E. Sims for the senate, W. W. Cobbs, J. M. Adams, and Beverly A. Davis for the house of delegates. They were all white men, of good, conservative records; were conservative citizens, and all Southern men, born and raised. Some of them, if not all, were men of means, against whose character nothing could be said, and the party seemed desirous to give no excuse for the race issue. We therefore invited the Democrats to discuss the issues of the canvass with us. This they declined to do. We asked their reasons for declining. The only reason given us was that it had been determined on by the State committee to raise the color issue; that they wanted the people of the State to see that the white men came to hear their speakers, and the colored men came to hear ours; that they intended to taboo and ostracize white men who even came to hear us speak; that it did not make any difference what kind of speeches we made, the white people could not hear them; that we were to be classed as the negro party in the State, and on that issue they were going to fight their battles. And they never had a discussion in my county with any of our candidates, although we always invited them, and they never invited us. We had eminent speakers there from a distance; men of high character. They refused to discuss with them, but whenever they had a meeting at the same place that we did, they would send Democrats to the outskirts of the crowd or to any white men who were listening to our speakers and tell them that that was no place for white men to be; that if they did not want to be classed with the negro party they must leave that crowd, and I have no idea that fifty white Democrats or Independents in Pittsylvania county heard a speech of a Coalitionist during the whole canvass, or would have dared to have done so without fear of being discharged from employment or otherwise imposed on by the Democratic party.

Q. What was the general public feeling of the Democratic party towards the negroes of the county and toward the white men who opposed the Democratic party?—A. The feeling was the same in kind that it has been ever since I have lived in that county, but it was more bitter and went to a greater extent than ever before. It was of this nature: that negroes were inferior human beings; that they had been enfranchised against the wishes of the Democratic party; that the Democratic party owned the bulk of the property, and were the most intelligent; that the negroes were as a class more ignorant and were to a greater or less extent dependent on Democrats for employment, and that therefore they owed a duty to the Democratic party, if they wished to maintain amicable relations with them, to support them politically. The colored people as a rule belonged to the Republican party, and felt it was the party to whom they owed their freedom, and while there are many cases in which individual colored persons have been bought up, especially in local contests, yet the colored man has always felt gratitude to the Republican party, and it has been with great reluctance that any of them, so far as I know, have ever voted against the candidates of the Republican party or of that party which was opposed to the Bourbon party in Virginia. There has been this difference in sentiment between the Democrats and the colored people ever since the war. Wherever they could succeed in inducing a colored man, either by money or employment, to ally himself with the Democrats, their feelings toward him have been kind; they would grant him favors, would give him money, and

would show him in every way that they intended to reward any colored man who would join the Democratic party. Wherever they have failed in thus influencing a colored man they have immediately turned loose against him every engine of war, and applied every means in their power consistent with their property interests to make him feel that he has offended them on account of his politics. The Democratic party there do not fear the colored people, even when organized politically against them, unless there are white men who sympathize with the colored people, and who act with them. They know that the white population of Virginia exceeds the colored population, and as long as the colored people stay in one party and the whites in another they have no fears as to the result. Their fight is always made against the white men who act with the same party with the negroes. Heretofore their war has been against the Republican leaders, whom they have described as "corrupt carpet-baggers, scalawags, regular thieves, Northern men who had left their country for their country's good." When the Coalition party started in Virginia, and men of undoubted character, and men whose whole sympathy, education, and raising were thoroughly southern, had united their fortunes with that party; when these men had shown a determination to cast off the Bourbon yoke and ally themselves with the National party, then the feelings of the Democracy became extremely bitter toward them. They said and saw that if there was any disaffection from Bourbon methods among the white people of Virginia, and the colored people would vote solidly with that disaffected element, that then the end of Bourbonism was not far distant, and therefore they have made special warfare against every white man who dared, as they would express it, to find any political refuge outside of the Democratic party. And it has been to Republicans, Readjusters, and Coalitionists a very lonesome affair to dare to go outside of the Democratic party. I know many men of high standing in the Democratic party who vote with it and act with it who are men of courage, and yet would not dare to leave that party. Many of my former political friends have told me before and since I took the step that I did, severing my connection with that party, that they agreed with me exactly in political sentiment, but that they had to live in Virginia; they had to make their support there, their families had lived there, and that I ought to do as they did, and consider the fact that I was dead socially and politically and financially from the time that I took such a step as I contemplated. I do not mean to say that a white man cannot join the Republican or Coalition party in Virginia without losing all recognition from the Democrats; but I mean to say that no white man or colored man can take any active part in organizing any party in opposition to Democracy who does not put himself in the position which I have described. They are willing for a Republican or Coalitionist to vote his sentiments, provided he does it quietly and without provoking any organization against Democracy; but whenever they fear that he is organizing a party for success against Democracy, then he may expect all the dogs of Democratic war to be let loose upon him.

The following is the correspondence referred to by the witness:

Telegrams and letters.

I hereby certify that the within is a true and correct copy of telegram received by Governor Cameron on the day and date mentioned within.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

DANVILLE, VA., November 3, 1883.

To Gov. W. E. CAMERON:

Your telegram received. A riot occurred here this afternoon; three negroes killed, two white men and four negroes wounded; the military are on duty, and quiet for the present prevails. I, however, fear another outbreak before the election is over, and hope that you will send me a company of troops as speedily as possible. Our people are so excited that I do not think that they can be safely depended on to preserve order and keep down the riot.

J. H. JOHNSTON.

I hereby certify that the within is a true and correct copy of telegram received by Governor Cameron on the day and date within mentioned.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

DANVILLE, VA., November 3, 1883.

To Governor CAMERON:

Several persons have been killed, four I think. The town is now quiet and the people generally are aiding me and the law officers in preserving the peace. I think there will be no further trouble.

JAS. WOOD, *Sergeant.*

This is to certify that the within is a true and correct copy of telegram received on the day and date within mentioned.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

DANVILLE, VA., November 3, 1883.

To W. E. CAMERON,
Governor of Virginia:

The town is still quiet and the military and citizens are on guard duty subject to my orders. I apprehend no further violence; will advise you if assistance is needed.

JAS. WOOD, *Sergeant.*

I hereby certify that the within is a true and correct copy of telegram received by Governor Cameron on the day and date within mentioned.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

DANVILLE, VA., MAYOR'S OFFICE,
November 4, 1884.

To Gov. W. E. CAMERON:

I need additional troops here to keep the peace and conduct a fair election. Citizens here are terrorizing the election under the pretense of patrolling the streets, and the roads running beyond corporate limits. I have not a force of sufficient strength to repress this disorder. The same spirit that caused the riot of yesterday prevails in unabated force, and in case of another outbreak I think that the majority of the troops here will fraternize with the riot. The election on Tuesday will be a mere farce unless the electors be assured of protection at the polls by foreign troops.

J. H. JOHNSTON.

I hereby certify that the within is a true and correct copy of telegram sent by Governor Cameron on the day and date within mentioned.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

RICHMOND, November 4, 1883.

To J. H. JOHNSTON,
Mayor, Danville, Va.:

I am averse to the use of outside military, except upon actual necessity. What new exigency calls for additional force? Answer at once, and give full particulars.

WM. E. CAMERON.

I hereby certify that the within is a true and correct copy of telegram received by Governor Cameron on the day and date within mentioned.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

DANVILLE, VA., November 4, 1883.

To Hon. WM. E. CAMERON, *Governor* :

Out of abundant caution we advise a military company from Lynchburg to be sent here this evening. Lynchburg is our nearest point, and we want the company before night.

J. H. JOHNSTON, *Mayor*.JAMES WOOD, *Sergeant*.

I hereby certify that the within is a true and correct copy of telegram received by Governor Cameron on the day and date mentioned within.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

DANVILLE, VA., November 4, 1883.

To Governor CAMERON :

No new exigency, except to relieve our home military, who have been on duty, and for abundant caution.

JAMES WOOD, *Sergeant*.

I hereby certify that the within is a true and correct copy of telegram received by Governor Cameron on the day and date mentioned within.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

DANVILLE, VA., November 5, 1883.

To his Excellency W. E. CAMERON, *Governor* :

Your telegram received. The mayor has charge of the town, and has placed an extra police force upon guard, consisting of picked men, and has ordered the company of city militia to aid and co-operate with them in preserving peace and order. I think this force is sufficient for the purpose, without further troops, but of course you can exercise your discretion. The excitement has greatly subsided since my last telegram to you.

JAMES WOOD, *Sergeant*.

I hereby certify that the within is a true and correct copy of telegram sent by Governor Cameron on the day and date within mentioned.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

COMMONWEALTH OF VIRGINIA, GOVERNOR'S OFFICE,
*Richmond, November 4, 1883.*JAMES WOOD, *Sergeant, Danville, Va.* :

I suggest the division of your military company into reliefs, so that two-thirds of the men may rest at some central point until, or unless, actually needed. If the present spirit of your community is such as your dispatches lead me to believe, there should be no difficulty in forming a posse of citizens whose coolness and desire to preserve the peace would effect more good than the sending in of troops from elsewhere. Of course, in face of your official statements, that actual violence is again threatened by any element of the community, and that the civil authorities have not the force to preserve the peace, I will promptly reinforce them in execution of the law. Advise me at once and fully of any change in the situation.

WILLIAM E. CAMERON,
Governor.

I hereby certify that the within is a true and correct copy of telegram sent by Governor Cameron on the day and date within mentioned.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

COMMONWEALTH OF VIRGINIA, GOVERNOR'S OFFICE,
*Richmond, November 5, 1883.*JAMES WOOD, *Sheriff, Danville, Va.* :

On the representations officially made by yourself, as sergeant, and Johnston, as mayor, of the city of Danville, I have ordered one company of infantry and a section of artillery to report to you to-morrow morning for the preservation of peace and the execution of law in your community. You are authorized to use them only for these

purposes. Major Carter will command all the military, including those now on duty, and has full instructions from me. The troops will do all that the civil authorities have a right to require, and will act for no party and no class of the community. I have instructed Major Carter to disperse and disarm all persons in the corporate limits of Danville, except those who have been armed and commissioned by the sheriff as a *posse comitatus*, or who belong to the regularly commissioned police force of Danville, or are members of the military force under command of Major Carter. You should see, and Major Carter is so instructed, that every citizen shall have peacefully his life and liberty, and those who threaten or attack the rights or safety of others should be dealt with according to law. This action of mine is entirely official. A public officer should be no respecter of persons. My object is only to preserve the peace, without regard to parties, and to see, as is my sworn duty, that every citizen of Virginia shall safely exercise the rights which are guaranteed by the Constitution and the law.

WILLIAM E. CAMERON,
Governor.

I hereby certify that the within is a true and correct copy of a letter delivered to Governor Cameron by the writer thereof on the day and date mentioned within.

W. N. RAGLAND,
Private Secretary.

RICHMOND, November 26, 1883.

RICHMOND, VA., November 5, 1883.

DEAR GOVERNOR: I have just arrived from Danville. The condition there surpasses any reports that may have reached you. An armed mob still control the town—negroes are driven out—not allowed to come on the streets. I have no idea a colored voter can vote to-morrow. The Funder mob were parading the streets at eleven last night, with shotguns, rifles, &c., and firing could be heard in every part of the town.

Nothing but United States troops can restore quiet or give our voters courage to come to the polls.

Yours, truly,

W. E. SIMS.

WASHINGTON, D. C., March 11, 1884.

W. E. SIMS'S examination resumed.

By Mr. VANCE:

Question. You gave us yesterday a statement of the difference between the parties, as you understood them in Virginia, and the reasons why you left the Democratic party, and became a Liberal or Readjuster; I will ask you if you were not a prominent and an active member of the Democratic party, and a candidate for office at its hands until very recently?—Answer. I never was a member of the party, and never a candidate for office in that party in my life.

Q. Never was?—A. Never was; never was a member of that party or took any active part with that party.

Q. What did you call yourself until recently?—A. I called myself a Conservative.

Q. A. Conservative?—A. Yes, sir; that was the name. There were two parties in Virginia, one the Conservative party, and the other the Republican party. I was allied with the Conservative. The Conservative party never assumed the name of the Democratic party until after I left it.

Q. Then, that party embraced what were Old Whigs and Old Democrats before the war, and they were called the Conservative party, instead of the Democratic party; that is so, isn't it?—A. Yes, sir.

Q. Were not you an active and prominent member of that Conservative party, and did not you seek political advancement at its hands until very recently?—A. I was an active member of the Conservative party. I cannot say that I was a prominent member of it. I do not know

what you mean by seeking political advancement at the hands of it. There have been times when I would have accepted nominations at the hands of that party, but I never worked to secure a nomination from that party or to seek any office from that party.

Q. When did you leave it? I believe you stated yesterday that it was in the spring of '82?—A. That is my recollection now; that it was in the spring of '82, but I cannot remember the exact date. I remember the circumstances though, which may fix the date; if you wish to hear them I can detail the circumstances.

Q. Well, perhaps they will come out in the course of the examination. Do you recollect when the convention met that nominated candidates for Congress in 1882?—A. Yes, sir; I do.

Q. What was the date of that, and where was it to meet?—A. That was some time in the summer of 1882, but I cannot locate the exact date. If I was at home where I have my papers I could locate it.—Q. Was not the Republican convention or Coalition to meet at Rocky-mount on the 22d of August, and the Democrat or Funder as it was called, to meet at Martinsville on the 31st of August. Are those not the two dates?—A. Those two conventions were to meet at those two points, and the Democratic convention I think was a week or two later than the other, but the exact dates of each I cannot recollect. I think possibly these dates are correct.

Q. I will ask you if you did not seek to be nominated at Martinsville at that Democratic convention?—A. I did not.

Q. Did you not try to secure a delegation favorable to you?—A. I did not after a certain point. Now it will be necessary for me to explain.

Q. Well?—A. Certain friends of mine in the counties of Henry, Franklin, Halifax, and Pittsylvania had solicited me to be a candidate before that convention. I told them that I was satisfied that my political sentiments would not be in accord with the majority of that convention; that I had no idea that they would nominate a man of my political sentiment; that I was, in the first place, what was known a high or protective tariff man, and had always been; that the men whom I regarded as the leaders of that party in that district especially were free-trade men; that I had no idea, therefore, that my ideas would be in sympathy with them; that I could not expect a nomination unless the sentiments of the party were in sympathy with my own on that question; also, that I was opposed to the proscriptive policy of the Conservative party; that it was drifting into the national democracy; that I did not believe in national democracy; that if the Conservative party of the fifth district meant to be controlled by progressive and liberal sentiments, if they were in favor of reuniting the two sections of the country, dropping sectional issues, doing justice to the colored man, allowing colored men to be educated; in other words, abandoning the Virginia Bourbon idea of Democracy—if those were their sentiments, I would accept the nomination from their hands, but I had no idea it would be. I wrote to some of my friends letters which I authorized them to publish, so that the party could see exactly what my position was. My position was about what I have stated to you. One of those letters of mine was published. Pending the time—

Q. Who was that letter addressed to?—A. I think one of them was addressed to Capt. G. W. B. Hale, of the county of Franklin. That is my recollection of it. I wish I had a copy of the letter.

Q. I think we have got it here?—A. I have not seen the letter since

it was written and published, and I would like to have it put in as part of my evidence.

Q. Do you recollect the date of that letter?—A. I do not; I remember that that letter was written a long time after my friends had been talking to me about this matter, when I had expressed to them privately about the same opinions that I expressed in that letter.

Q. (Handing paper to witness.) See if that is the letter. I think there are some little bracket notes of the publisher, but see if that is the body of your letter.—A. (Examining paper.) That is about it, but it is so interlarded with remarks of the miserable lying editor there, that if it is published I would like simply my part to go in and not his.

Q. Certainly; certainly.—A. It is very hard for anybody reading this to tell what the editor says and what I say.

Q. Is not what he says all in brackets?—A. (Again examining letter.) Well, as it is not very long, I would like to read exactly how much of it is mine, and how much of it is his.

Q. Well, have it published, and if there is anything there that is not yours, and belongs to the editor, you can have it corrected so that nothing but your remarks will appear.—A. Very well; that is mine with the exception of what the editor has interlarded there.

The letter is as follows, with editorial comments stricken out:

CHATHAM, *August 4, 1882.*

Capt. G. W. B. HALE:

DEAR SIR: In answer to your letter asking my views on several points involved in national politics, and asking me if my name would be presented before the Martinsville convention, I reply that there is a wide difference in our party as to the meaning of the word "Democracy."

To some it means "free trade"; to some it means "hostility to internal improvements by the General Government"; and to some it means "opposition to public education at national expense."

To such it seems almost sacrilegious to have any change in Democratic doctrines, and while the world is moving, Democracy must stand still.

To me "Democracy" has no such meaning. I define the word as "the power of the people under the Constitution, as exhibited by the laws made by representatives fairly elected and administered by honest officials."

Thus far I am an old-fashioned Democrat, but no farther. I am in favor of liberal systematic internal improvements at national expense; I am in favor of a thorough free-school education by national authority and at national expense; I am in favor of a tariff high enough to raise all the revenue that we require to support the Government and schools, to pay the interest on, and create a sinking fund for, the national debt, and to carry on liberal internal improvements.

Old-fashioned or stagnant Democracy will be shocked at these views as anti-Democratic and anti-constitutional, but they are simply progressive. The Federal Constitution provides that "Congress shall have power to lay and collect taxes to pay the debts and to provide for the public defense and general welfare of the United States." Surely this is broad enough to cover the improvement of all our rivers, even for batteaux navigation. We find extreme men of all parties, like President Arthur and Congressman Samuel S. Cox, who think that nothing tends to the general welfare in the internal improvement line except appropriations for New York harbor, but we inland people would like to receive some local benefits for the taxes we pay.

Does not the general welfare also demand that our Government, which gave the right of suffrage to our late slaves, shall furnish the means to educate them, and fit them for the new responsibilities which have been thrust upon them—especially when the States are too poor to educate them?

Free trade, theoretically, is a beautiful doctrine; but we must drop theories when we have practical results to refute them. Look at the wealth of the Northern people, and you will see the effect of a protective tariff (not a revenue tariff, though, but a prohibitory one); and now that our district is beginning to hear the music of the steam engine, the ring of the miner's pick, and the hum of the loom, we must learn to protect our infant and growing industries, at least to the extent necessary to force the consumers of foreign wares to support the Government.

Our tariff revenues are sufficient for this purpose, and we can hopefully look forward to the near future when the tax on brandy and tobacco will be repealed, and

the odious internal tax-gatherer driven from our midst. This result is possible, however, only by preserving the tariff as a reduction of import duties will necessarily compel us to continue to raise money from whisky and tobacco.

I know not whether my views are acceptable to the Democratic party of the district, even if I was personally the choice of the convention, nor do I know now whether my name will be proposed in the meeting.

I can only say that if it is proposed, and I am defeated, I hope my defeat will be caused by personal antagonism to me, and not by any hostility to my political opinions; for the party can easily select a candidate better than myself, but in my humble opinion they cannot afford to oppose the ideas I have expressed.

With great respect, I am your friend,

W. E. SIMS.

Q. Now, do you recollect what month it was that the Democrats of Pittsylvania County held their district conventions to send delegates to Martinsville?—A. I do not remember.

Q. It was the same month, was it not, in which the convention was held?—A. I could not tell you that; it could have been in July, it might have been in August; I cannot tell you that. It has been nearly two years ago, and I cannot remember certainly about dates. If I had my memoranda to refresh my memory about the month I could answer.

Q. (Handing letter to witness.) Was that letter written by you? Just say if that is in your handwriting.—A. Well, let me see; there may be some interlarding in here, too. [Examining letter.] That was written by me, sir, and it is headed "Confidential"; written to a man who assured me that he was in sympathy with all of my political feelings, a man that I told that if my name was proposed to the convention, it should be on my platform. As I have stated, I was always willing to accept the nomination on that platform.

(Written Friday eve, previous to this meeting.)

VIRGINIA MIDLAND RAILWAY,
—— Station, —— —, 188—.

Confidential.]

DEAR CLARK: I write hurriedly to remind you that to-morrow is the day for the Dan River dis't to meet to appoint delegates, at Shepperd's Store. Go down by all means, and have yourself, and any others you can influence, appointed delegates to go to Martinsville on the 31st. Dr. Williams will be there, moving heaven and earth for Cabell. Work quietly, and say nothing to offend any one. Get yourself, and men you can manage, appointed, if possible. Don't try to get all, but get as many as you can; try to have old man Shelton appointed.

I have not tried to get a delegate in Dan River, but think you can work some in by proper management.

If Jack Clark is for me against Cabell get him to go to Brosville to-morrow and work with Jim Collie and other friends there; but if he is not for me, don't say a word to him.

The meetings are advertised for three o'clock; you had better be on hand sooner. Conceal your purposes as far as possible.

Yours truly,

W. E. SIMS.

Q. Yes. Can you give any date to this letter. It is not dated; can you tell when it was written?—A. No, sir, I cannot.

Q. Well, it says here to meet in Martinsville on the 31st.—A. I cannot tell you whether that was the 31st of July or August; it was either one or the other.

Q. But does not that ordinarily show that it was written in the same month—current month; that if it had been a different month the month would have been mentioned?—A. Well, it ordinarily would show that, but the handwriting of this, and several expressions in it, show that it was written hurriedly, and I may have accidentally omitted the 31st

proximo or 31st instant. It is not conclusive, but I think ordinarily I would have said the 31st instant or 31st proximo.

Q. At all events, it was written before the day of the district meeting. It says, "Now is the time," and so on?—A. Yes, sir.

Q. And whatever day these district meetings were held would fix the date of this letter as the day before?—A. Yes, sir.

Q. Now, Mr. Sims, I will ask you if you did not find out before the meeting at Martinsville that the majority of the delegates were against you?—A. Well, sir, I could not have found it out before the meeting at Martinsville?

Q. Yes, yes.—A. Oh! I have no doubt I did before the meeting at Martinsville.

Q. Yes; that is what I say.—A. I have no doubt I did before the meeting at Martinsville, because weeks before the meeting at Martinsville I formally announced that I would not be a candidate. I never found out before I wrote that letter that I would not be a candidate.

Q. You did not decline to be a candidate before the Martinsville convention, then, because you had found out that you could not be nominated?—A. Not at all, sir; I was satisfied that the party was drifting into Bourbonism; had gone into the Bourbon party in that district, and they would not nominate any man with my sentiments, or if I was nominated that I would be slaughtered by the Bourbon members of the party; that they would not vote for a man of liberal sentiments. I was satisfied of that; that if Cabell could not get the nomination himself he would do everything in the world to defeat me after I was nominated.

Q. Did you not then, on the 22d, go into the Republican or Coalition convention at Rocky Mount?—A. I did not, sir. I declined to go into it.

Q. Were you not present at all?—A. I was in the town, but not in the meeting.

Q. Not in the meeting at all?—A. Not at all. Yes, I was sent for; I was sent for with a request that some friends had stated that my name would be before the convention, and they sent a formal request for me to address the convention. I addressed the convention, and in that address stated I did not wish the nomination and would not accept the nomination, and asked them to nominate some one else. I was only in there for ten or fifteen minutes, and that during the time I made that address to the convention.

Q. Now, had your name not been proposed in that convention even before you went in?—A. I understood so, but not with my consent.

Q. Did you not in that speech declare yourself in full accord with the principles of the Liberal party, as it was called?—A. I did.

Q. And declared yourself a candidate?—A. In national politics. I did not declare myself in sympathy with them as to the subject of the State debt. If I recollect right, I told them that the State debt having been settled, that the principles of the Readjuster or Coalition party, so far as regarded national politics, were identical with my own, and that I was satisfied now that they were in earnest about what they were going to do in national politics; was satisfied, from General Mahone's course in the United States Senate, what he and his party was going to do, and that I was in sympathy with that party.

Q. Who did that convention nominate?—A. It nominated a man by the name of Scott.

Q. And you became an Independent candidate and Scott withdrew?—A. No, sir; that was not exactly the way to put it.

Q. Well, how was it?—A. I was an Independent candidate before that convention met. I had announced myself in a public card as an Independent candidate before that convention met; I was satisfied after that convention met from the expression of sentiment that I heard among Coalitionists and Democrats that the Democratic party, or Conservative party—I believe it was then for the first time called Democratic party in the State—would, or the great majority of them would, support the regular nominee regardless of what their preferences might have been before the Democratic convention. I was satisfied, too, from sounding public sentiment, that the great body of the Coalitionists would support the nominee of that convention, Mr. Scott. I did not see any use of my running simply to be defeated, and therefore withdrew as a candidate. I withdrew as a candidate long before Mr. Scott retired as a candidate.

Q. Well, Scott did withdraw?—A. Yes, sir.

Q. He was sent for, to go to Richmond, and made to withdraw there was he not?—A. Not that I know of, nor do I believe that he was.

Q. Who were you then nominated by?—A. I was nominated by the executive committee of the fifth Congressional district. Mr. Scott had been in the field for some time when he withdrew, and they decided that it would be so hard to get a convention together—time was so limited—that it was necessary for the executive committee to act.

Q. Did I understand you to say that you had withdrawn previous to Mr. Scott withdrawing?—A. Yes, sir; as an independent candidate, I had withdrawn previous to that time.

Q. Well, this publication was made by your authority, was it not, containing Scott's letter of withdrawal, and your nomination and letter of acceptance?—A. Well, it was made by the State committee—that is, Mr. Scott's letter; that was the action of the committee, and that is Mr. Scott's letter of withdrawal, and that is my letter of acceptance, which was published by the committee and circulated in the district. I do not know that I ever asked that it should be published. You may say it was with my consent; I did not object to it at all.

The letters are as follows:

Fifth Congressional district. Mr. Winfield Scott withdraws and Col. Wm. E. Sims duly nominated in his stead.

ACTION OF THE DISTRICT COMMITTEE.

At a meeting of the Congressional committee (created by the Rocky Mount convention) for the fifth district of Virginia, held this 20th day of September, 1882, the committee was organized by the election of Col. J. B. Raulston, of Danville, as chairman, and Mr. D. H. Pannill, of Pittsylvania, as secretary.

The following counties and towns were represented: Danville, Halifax, Patrick, North Danville, Henry, Floyd, Pittsylvania, Franklin, Carroll.

The chairman of the State executive committee laid before the Congressional committee a communication addressed to him as of the 14th day of September, 1882, by the Hon. Winfield Scott, with the statement that it was to consider and to act upon this communication, and to discharge the duty imposed upon such Congressional committee, as the authorized representative agency of the party of the fifth district, that he had invited the meeting of the committee.

The committee, after full consideration of the matter involved in the Hon. Winfield Scott's letter, in the due performance of their duty—the discharge of their high trust to the party in the contingency presented—and as they would hope and honestly believe in the best interests of the party, passed the following resolutions:

1. That we receive and accept the withdrawal of the Hon. Winfield Scott as the Readjuster nominee for Congress from the fifth Congressional district of Virginia.

2. That we are convinced that Mr. Scott is actuated by pure and patriotic motives in requesting that he be allowed to withdraw as the candidate, believing as he does that an active canvass by him of the district, such as he feels ought to be made as a matter of duty to the party in that district and the State, is and will be incompatible with the paramount duties he owes to the State and party at the capital in the hon-

orable office he there holds; and that it has been on account of the duties of that office he has been detained from the district and the canvass, and by reason thereof brought to the conclusion made known to the committee in his letter before us.

3. That we assure Mr. Scott that the considerations which actuate him are by us, as we doubt not they will be by every loyal member of the party, appreciated and approved; that he is entitled to the cordial consideration of the party for the manly and patriotic course pursued by him.

4. That the committee, in the pursuance of the trust and the discharge of the duty imposed, do hereby declare and announce William E. Sims, of Pittsylvania County, as the candidate of the Readjuster party for the fifth Congressional district, pledging our earnest endeavors to his support and for his election, firmly commending him to the active support of every Readjuster or Coalitionist of the district, and assuring the party in advance, upon information we hold to be reliable, of their triumph and his certain election.

The committee now lay before the Readjuster party and the voters of the fifth Congressional district these proceedings, together with the letter of the Hon. Winfield Scott, before referred to, and the letter of acceptance of William E. Sims, the candidate.

MR. SCOTT'S WITHDRAWAL.

RICHMOND, VA., September 14, 1882.

General WILLIAM MAHONE,

Chairman of the Liberal Readjuster Party of Virginia:

DEAR SIR: I have determined to resign the nomination for Congress in the fifth district. To you, as well as the party at large, such action will, I fear, seem strange, as I had accepted the party nomination. Since the adjournment of the Rocky Mount convention, however, my duties as an officer of the State government at Richmond have required me to devote almost my entire time to the interest of the State there. I have been hoping that pressing business duties would be suspended for a while, but I see no immediate relief—such, at least, as would enable me to make the personal canvass which, in my judgment, ought to be made. Under these circumstances, I fear our party might suffer; and as I am loath to abandon my duties as an officer of the State, I see no alternative but for me to retire, and ask you and my party to sustain my action.

Personally, I deeply regret the necessity for this action, especially as the success of the party is, in my opinion, assured already; but for the reasons previously stated I feel that I should be allowed to withdraw.

I am willing to retire, believing you and the party will appreciate my motives, and that we will elect whoever the party may select. With heartfelt thanks to the party which so generously honored me with the nomination, and my best wishes for its success,

I am, most respectfully,

WINFIELD SCOTT.

CHATHAM, VA., September 21, 1882.

Gentlemen of the Committee:

You have honored me with a nomination, and I gratefully accept the duties which that nomination imposes upon me.

I am in accord with the principles enunciated in the Virginia platform, and have for years advocated the same liberal and progressive ideas in the Conservative party.

I have differed from you as to the settlement of the State debt, but that vexed question has been settled, and I shall adhere to and abide by that settlement; I was a Conservative because I then believed, as most of you did, that the welfare of Virginia depended on the success of that party; but it has accomplished its ends and died a natural death.

We have been striving to reunite harmoniously the Northern and Southern sections of the country, but we have, unfortunately, attached too much importance to party names, and our leaders have constantly irritated the gaping wounds of the late war; they have built up a solid South and strengthened a solid North against us; they have revived war passions and sectional hate; they have deprived us of the privilege of securing for our own people the national patronage which is due to them, and they have caused the loss of millions of money to which we were justly entitled. Other commonwealths have prospered and advanced while we stood still; and all this we have submitted to for the sentimental love of party.

Virginia has, however, at last abandoned sentimental and adopted practical politics

she has ceased to venerate party names, and learned that she must protect herself against any party unwilling or unable to legislate in the interests of her citizens.

President Arthur seems determined to drive sectionalism out of politics, and to administer the Government with clean hands; all good citizens, whether Democrats or Republicans, should sustain him in his patriotic course.

The Washington Post, which is the national Democratic organ, recently said of President Arthur:

"It should be a source of consolation for him to know that as long as he keeps his great office clean and remembers that he is President of the United States, not of a faction or party, he can rely on the respect and support of the men who voted for Hancock."

With these liberal sentiments the people concur, and in this canvass I shall advocate them despite the jeers of sentimental enthusiasts, who blindly follow wherever the old Democratic politicians lead them.

I appreciate the difficulties surrounding my nomination at this late day in place of Mr. Winfield Scott, whose official duties have been so absorbing as to compel him to retire, and who is so deservedly esteemed by his constituents; but with his and your assurance of active and hearty aid, with a thorough organization and zealous canvass, the issue in this district is not doubtful; and I promise the people that if, as their Representative, I do not in two years accomplish more for them than my opponent, Colonel Cabell, has in eight, I will not complain if they call me an incompetent and unfaithful servant.

I am, with sincere regards, respectfully yours,

W. E. SIMS.

Q. Where did Mr. Scott reside?—A. In the county of Floyd.

Q. This letter of declination is dated at Richmond, isn't it?—A. Well, he was the storekeeper of the penitentiary at Richmond, and was temporarily in Richmond, but his residence, his home, is in Floyd County. His duties required him to be in Richmond when he wrote the letter, I think, although I do not know; I know he was in Richmond at that time. I will add that I have known the party there to do a good many mean things, but I never knew them before to capture or reveal confidential letters that were written. If they had asked me for permission to publish it (the letter to Clarke), they could do it; there is nothing in it that I object to.

Q. How long have you lived in Danville?—A. I never lived in Danville.

Q. I mean in Pittsylvania County?—A. I commenced residing there, took the county as my home, in the winter of 1867-'68, the exact month I do not remember. I was married there in 1865, was there frequently between 1865 and 1868, but did not regard it as my home until the year 1868.

Q. Well, you had some observation of politics all that time, I suppose, didn't you?—A. I had very little to do with politics for several years after I moved to the county. I could not tell you the date when my connection with politics began. I think it was some little time after the State was readmitted to the Union. I do not think I had anything to do with politics prior to that.

Q. Well, I suppose you saw how things were going and latterly you took a more active part. You were an active friend of Colonel Cabell once for Congress, were you not?—A. I was active for Colonel Cabell; yes, sir.

Q. I will ask you how, as a general rule, the colored people voted in that county; whether they were solid on one side or divided?—A. Well, as a general rule, you may say they were solid, but I do not think as much so in any canvass as they were in the last. The last canvass was so extreme on the Democratic side that I think it tended to consolidate the negroes more than they ever had been before.

Q. Now, I will ask you if you know of any organization among the

colored people either in your legislative district or outside of it to punish or ostracise any colored men who voted the Democratic ticket?—A. No, sir; I not only do not know of any such, but I have taken occasion to inquire into the matter during the last canvass, especially, when Mr. Harrison, who sits at your right, addressed me what he called an open letter, which was published long before I saw it, in which he charged that the colored people were ostracising each other; had formed some sort of an arrangement to intimidate colored persons who voted the Democratic ticket. I do not know the language of his letter, but that letter was published. I immediately set to work, and I saw members of my committee in different parts of the county at different times from that time until the end of the canvass, and I never omitted an opportunity to inquire about the truth or falsity of that charge, telling them that I wanted them to understand that if such an organization or such a plan was in existence it was contrary to the spirit and intention of our party, and it must be broken up. Their universal response was that they had no such idea at all and no such organization at all, and I have no reason in the world to suppose that there was any such organization of that kind. I think it is extremely probable that in the town of Danville where the white people passed resolutions and it was generally understood that Coalitionists should not be patronized on the market unless he intended to vote the Democratic ticket, I think it is very probable that in the town of Danville the colored people as a general sentiment were very much outraged and determined that they would in some way retaliate for this action of the clubs, but I have no idea from what I heard from the leaders of the party that there was any organization to that effect. I think it was simply a sentiment among colored people that they ought to retaliate for these extreme measures of the Democratic clubs there, but in that county of Pittsylvania I never heard of any organization, or any plan, or any agreement at all.

Q. Did you ever hear of any individual instance of violence towards a colored man for voting the Democratic ticket?—A. I never heard of but one, and I volunteered to prosecute that man for doing it; and I did prosecute him—two men—for the same act.

Q. When was that?—A. That was in the canvass before, I think; I think that was in 1880, probably. I volunteered to prosecute, and assisted the Commonwealth attorney; succeeded in sending one to jail and the other was acquitted. I was satisfied, though, on the examination, that there was no plot, no conspiracy, but that there were four or five negroes who mistreated a negro who came there to circulate Democratic tickets. That is the only instance I ever heard of in the county.

Q. Well, if you prosecuted a colored man, you can give us some account of the circumstances, can't you? What was done to the colored man, if you prosecuted those who assaulted him?—A. I will give you as I remember them now. Now, of course, there are a great many details I have forgotten. There was a colored man from the town of Lynchburg. I have forgotten his name now, but he hailed from the town of Lynchburg. He had the reputation—now these things, a great many of them, are simply by report that I am talking about, a great many I did not see—he had the reputation of being a kind of an apostle in Riceville, one of the precincts of the county. He organized what he called a colored society, a religious and charitable society, and the colored people discovered at that place that he was using it, not as a charitable and religious society, but using it for the purpose and with the intention of secretly circulating among members over whom he had acquired influence, circulating on election day, Democratic ballots with

Colonel Cabell's name on them. The colored people, having so much confidence in him, would think he was circulating Readjuster ballots for Stovell, and never suspect him of supporting Cabell. The negroes there became very indignant, believing, as they said, that that was his intention. He left there and came to Chatham, and while in Chatham four or five colored men and half a dozen colored boys got around him and commenced talking to him about this trick, as they termed it, of his at Riceville. Under those circumstances, I think probably he got into a fisticuff that day, and that night, on his way to the depot, was assaulted by several men and beaten. I prosecuted the two colored men who did that, and I would do it again, as I did then. I believe in free speech and a free ballot for white men and colored men both.

Q. Are those the only cases you have heard of?—A. That is the only one I ever heard of in the county as long as I have lived there.

Q. Have you heard of any others in the State? You see this is a committee of inquiry, and what you tell us about those things that you have heard of would not be evidence, but it would go to put the committee on inquiry elsewhere.—A. Well, I cannot say that I ever heard of any in the State, although I have a general idea of having seen it frequently charged in Democratic newspapers that colored people would ostracize and would seek to intimidate men who voted the Democratic ticket; but I must be candid and say that I always believed that they were canards got up by the Democratic party. I never believed any of them. There may have been exceptional cases, but I have no idea there was any general rule of that kind in the State.

Q. Did you hear recently of the stoning of a colored procession of Democrats in the city of Richmond?—A. I did not.

Q. Have you not heard of that?—A. I have not. I don't see the Richmond papers regularly. I sometimes see them, but don't see them regularly. I don't think I ever saw anything of the kind in the Washington papers; if so, it has escaped my attention.

Q. This was very recently, just after the election, when they were assembling to have a little rejoicing in Richmond. Do you remember to have heard that the colored men were stoned and had to be taken and locked up somewhere and guarded to keep them from violence?—A. No, sir. If it was in the papers, I did not see it.

Q. In the campaigns of which you took notice for the last ten years, I will ask you if the colored people were not almost completely solid. What per cent. voted the Republican ticket?—A. Well, I should say about, not over, 50 per cent. voted the Republican ticket regularly. You must remember that nearly 50 per cent. of the negroes in Virginia were disfranchised until recently by the Democratic party.

Q. Yes?—A. They were not allowed to vote.

Q. Well, the whole colored vote that went to the polls?—A. Oh, I think, then, it is safe to say that probably 90 per cent. That is a mere conjecture. I never calculated the figures. It might be even a greater per cent. because the negroes generally felt that the Democratic party or Conservative party had deprived them of free schools, and deprived them of the ballot, and they very naturally voted with the opposition party.

Q. When you speak of depriving them of the ballot you mean they were required to pay the tax before they voted?—A. They could not vote unless they paid the capitation-tax; yes, sir.

Q. That deprived the white men as well as the colored?—A. Yes, sir. But as a general thing the colored people, having just emerged from slavery, were the poorer part of the population. There were 5

or 6 who could not pay the tax where there was one white man; not only that, but the white men as a general rule were wealthy, and could pay the taxes for the poor men, and the colored man had no one to pay his tax, so that it amounted to disfranchisement of nearly one-half of the black people of the State of Virginia.

Q. Have you any information or facts to give the committee tending to show that the colored people were intimidated in the State of Virginia in the last election?—A. Well, sir, I have three affidavits, I think, with me from colored people in Pittsylvania County, showing intimidation in that county.

Q. Outside of Danville?—A. Outside of Danville; yes, sir. If the committee would like to have them, I can lay them before the committee.

Q. We would prefer to have the names of the men who made the affidavits, and then we can have them here.—A. Their names are with the affidavits.

Q. Just give the names. I do not call for the affidavits.—A. One of them is A. B. Goings.

Q. Where does he reside?—A. I know where he votes; he votes at Hall's Cross-Roads precinct, in Pittsylvania County. I think he lives a few miles from that place, although I don't know the exact locality of his residence. Another name is J. W. Crow. He lives at Galveston. Another is Edward Lewis. He lives at Chalk Level. They all testified that the Democrats went to the polls armed with shotguns and pistols, and one of them testified that a week before the election, and a week before the Danville riot, a prominent Democrat made a speech at his precinct, in which he told them that the streets of Danville were going to run with blood; that if the negroes went to the polls at Chalk Level precinct on the election day to vote the Readjuster ticket they would be driven out of the country as the Indians were. The same man who made the speech, or his son, has killed a negro man since the election at that precinct.

Q. In your statement in the contested-election case between yourself and Hurt I find the following:

The Readjuster voters were then divided into small squads of not over 15 each, and a squad captain put over each squad, a precinct captain over all, and this captain again saw each man and saw whether he was properly registered and transferred, and means provided to bring him to the polls, if unable to attend without assistance, so that I knew by name, and had on my books, every man who was a colored Readjuster.

That was the plan of organization you had in that county, was it?—

A. You are mistaken in saying that that is in my notice of contest; that is in my deposition given in the contested-election case.

Q. I didn't notice the caption of it, but that is the language that you used?—A. Yes, sir; I would like to explain that; that was the plan that I adopted; I don't know that it was adopted anywhere else; it was the plan I adopted because I knew of no way of ascertaining what colored man had moved away, what colored men had remained, what colored men intended to vote the Democratic ticket, or what colored men intended to stay at home that were on the registration list; I had no means of knowing that except by having the parties seen individually, which was exactly the same plan as I understood was adopted by the Democratic party; that each man was to be approached personally, his views and intentions ascertained, his name checked off on the books so as to see whether he was a resident, or if he had moved away, where he had moved to, and if he had moved to another part of the county,

so his transfer—if he was going to vote with us—could be obtained and sent to him; therefore, I adopted a plan of having one man at each precinct whom I called the precinct captain; it was that man's duty to see that his squad captains made reports to him; he divided his precinct into squads; I gave him a list divided up and told him, "Here are 150 men, say, at your precinct; choose your 10 squad captains, and give them 15 names apiece, sometimes a dozen, sometimes 20, according to locality; let those squad captains see those men and see if they intend to vote with us, and if they cannot find any one, to report where he had moved to"; those captains then report the result of their interviews to the precinct captain, and the precinct captain reported it to me, so that I could ascertain the exact standing of each man in the county. That was the plan I adopted in that senatorial district.

Q. I understood you in your chief examination to deny that you had used personalities anywhere except at Spottsylvania and on the occasion of this speech in Danville?—A. If I used any other I have no recollection of it, and don't think I used any in any other speech.

Q. Did you issue this notice [handing witness the following paper]?

NOTICE!

The pimps and hirelings of Colonel Cabell have manufactured and circulated a new installment of lies.

They say I was balloted for in the Readjuster convention at Rocky Mount; that I submitted my name to that body and addressed it in advocacy of myself; and that I worked for the nomination and was beaten.

These statements I brand as lies. These pimps fear that liberal men of all parties will support me, and they hope to frighten my friends with the idea that I have turned Republican.

I assure these slanderers, who are too cowardly to acknowledge their infamy and who always conceal their identity, that although *truth* shall kill their hero, *lies* shall never save him.

And I warn them that I am aware of the fact that they have organized a bureau for the manufacture of campaign lies, and I hope to be able to ferret out and publicly brand the chief of that department.

W. E. SIMS.

CHATHAM, VA., August 25, 1882.

A. (Examining paper.) I did, sir; during the campaign when I heard that these lies were in circulation, but could not get any responsible party to tell me who circulated them. I did not call any name in it, but I issued—this was in the Congressional canvass of 1882, and not in last canvass.

Q. Yes.—A. My answer referred to the last canvass—the canvass for senator. I issued this in my canvass with Colonel Cabell.

Q. I understood you to be speaking generally of the bitterness with which the Democratic party made war upon the Coalitionists?—A. In my language—I would like for the reporter to read it.

Q. I don't think I misunderstood you.—A. The language I used yesterday was that I was the State canvasser for the party during the last canvass, and during that canvass I indulged in no personalities with any person except on two occasions, and then in reply to slanders that had been circulated in regard to me. I don't pretend to say what personalities I indulged in in the canvass before with Colonel Cabell; I don't remember though to have had any personal controversy with any, even one, in that canvass. I issued several circulars in response to slanders that were circulated about me, but I don't remember in that canvass to have had any personal controversy, or to have indulged in any personalities with any person.

Q. Well, here is one, issued, as I understand, in the spring of 1883, prior to the May election:

PERSONAL CARD.

TO THE PUBLIC.

Mr. L. H. Pigg has informed me that W. I. Overbey told him that he was informed by one of the Readjuster candidates that the candidates on the Readjuster ticket had paid seven hundred dollars to the leaders of our party, four hundred of which Thomas N. Williams contributed, for campaign purposes, and such a report was current at the polls yesterday. The current rumor on yesterday, circulated by Funders (no one of whom can now be found to father the lie), was that Col. J. B. Raulston and I (one or both) had gotten up the ticket on Williams' money, and put Williams on our ticket because he had paid us from four to seven hundred dollars for it.

As the scoundrels are too cowardly to stand up to their gratuitous lies, I have decided to denounce publicly the authors or circulators of said rumors as willful and malicious liars, who have resorted to falsehood to deceive white and colored voters.

I assert that no man whose name appeared on our ticket has paid or promised to pay one cent for his nomination, and none have paid into our campaign fund any sum except the cost of having the tickets printed and circulated, and these small sums were paid after nomination. I assert, moreover, that as Mr. Williams was not a member of our party, we never asked or received from him a dollar—not even for cost of printing tickets. I do not publish this for the purpose of influencing partisan Funders who have constantly maligned me, when they could do so without being detected, but for the purpose of informing my own party friends of facts as they exist, and also to do to Mr. Thomas N. Williams justice. He has met with just such treatment from the Democratic party as is always meted out to any man who dares kick against ring and caucus rule.

Mr. Williams never made any promises to my party except such as Mr. Overbey made, viz: that if elected he would cease to be a partisan, and conduct his office without regard to politics, and the party committee decided, after long consideration, that we had better vote for an open and avowed Funder than a Readjuster who had deserted his party. This alone prompted us to put Mr. Williams on our ticket.

I expect a cessation of Funder lies until next campaign, when the machine will be started again by cowardly sneaks for party purposes.

W. E. SIMS.

A. That was not in the last canvass.

Q. No, sir; it was prior to the May election, or after; it was concerning the May election.—A. Yes; this, too, was issued in response to slanders, in which I said I could not find out who the men were who told them, but denounced what they said as gratuitous lies.

Q. Yes.—A. I stick to that; I wish I had known who did circulate them.

Q. Well, both of these circulars are tolerably bitter, are they not?—

A. They ought to be bitter against men who would circulate lies and slanders about me.

Q. Certainly.—A. They didn't name any names; if so, I would not have resorted to a circular. I am always bitter against men who tell lies about me. I have not learned sufficiently to control the old Adam which is in me, I suppose.

Q. You stated that your original appointment to speak in Danville on Friday night was on the steps of the old bank building in front of the Arlington, did you not?—A. That circular, or that notice rather, was gotten up in my absence, and I never saw it; didn't know where I was to speak. It was arranged by the committee in Danville, as I see by that circular, that I was to speak there; but I did not know where I was to speak.

Q. Do you know how it came to be changed to the court-house?—A. I only know from what I heard since the speech was made. I supposed at that time it was the original appointment. Since this affair in Danville I have understood that the owner of the bank building, Mr. C. G.

Holland, objected to any Coalition speech being made from his premises.

Q. Why?—A. I have no idea, except the general spirit of intolerance in the town of Danville; that people who would not come to hear a Coalition speaker in a hall would not be very apt to let him speak from near his premises, and I would have had to occupy some of his premises. I would have had to stand on the steps of a building which he rented for offices. That is a surmise of mine. I have no idea what his reasons were.

Q. Were you not told that it was in the interest of peace; that because there were so many white people in front of the Arlington it would produce a breach of the peace?—A. I never heard it.

Q. It was right in front of the Armory Hall where the Democratic clubs had their meetings, wasn't it?—A. I don't know where the Armory Hall is. If I knew the building where the armory was I could tell you, but I don't know what building they hold the armories in. I know all the buildings, but I don't know which one they use as an armory. I will state I never heard it was in the interest of peace, nor have I any idea it was in the interest of peace, nor have I any idea that those men there wanted peace.

Q. You have rather a poor opinion, I suppose, of the people of Danville, haven't you?—A. No, sir; not of all of them. I think there are a few men there who try to stir up race feeling and race prejudice, and those few men control the town, and those few men have fifteen or twenty backers and strikers to do their shooting for them. I do not think that the people of the town of Danville are naturally blood-thirsty at all. I think there are a few bad men who control the town of Danville.

Q. Now, you denounced the signers of this circular in very unmeasured and unqualified terms, didn't you?—A. Not unmeasured; it was measured. The measure simply went as far as their statements had gone.

Q. You called them liars, didn't you?—A. Yes, sir; that is what they were.

Q. By name?—A. I reckon so; I read their names.

Q. Yes, and you called them scoundrels?—A. No, sir; several witnesses who are truthful men say I did. I stated yesterday what my recollection was of my language; that I said that any of these men who signed that paper knowing what was in it—

Q. "Knowingly" was your term?—A. Knowingly signed what he knew to be false, and that any man who would circulate those slanders about the colored race in the town of Danville must be a coward; that it was mean and cowardly for men in their position in society to so slander the colored race. Therefore, I incidentally called them liars and I incidentally called them cowards. I did not say Mr. So-and-so is a liar and Mr. So-and-so is a coward. I said they had signed their names to lies, and it was cowardly to do it.

Q. I will ask you if you did not take them up name by name, and call each one of them a liar?—A. I don't think I did. I do not think I said such and such a man was a liar.

Q. I will ask you if you did not?—A. I will state here now that I do think that any man who knowingly did it is a liar. It is a distinction without a difference. I do not think I used a man's name, and then said he was a liar; nor do I think I used the word "scoundrel" in my speech. I think the witnesses are mistaken on that point.

Q. Did you not appeal to that audience "Don't you know that is a

lie?" and they replied "Yes?"—A. My recollection is that I took up each statement of the circular, and in the first place I proved it to be a lie.

Q. Yes.—A. And then I asked the people in the audience, white and black—there were a great many more white people there than have been described as being there. I should suppose at one time during my speech there were at least 200 white people there. When I got through proving that a statement of the circular was false, I would say to the audience that I would like for any man in that crowd to deny what I had stated; if so, please to come up on the stand, and I would give him a chance to refute what I had stated in answer to the charge in the circular. I would appeal to the crowd and no one would respond. Then I would say that that statement was false, and I branded it as a lie, and I would appeal to the people if they did not sustain my statement that the circular was false in that respect. I think the universal response was that they did sustain it, and I think any man in Danville to-day would sustain it. I don't believe there is a respectable man in Danville who would get on the stand and swear that there are a half a dozen allegations in that circular which are true.

Q. Do you know Mr. W. T. Clark?—A. I do.

Q. Do you know his general character?—A. Yes, sir.

Q. What is it?—A. Well, sir, if I should go into the statement of course I will answer the question if you wish me to answer it.

Q. You are a lawyer, Mr. Sims, and I want your opinion as to what is his general character.—A. Well, Mr. Clark has got the reputation of being a very shrewd business man—a very close man in the management of pecuniary matters; in fact, a very stingy man. He stands well in society in Danville, as most all men of means, if not all men of means, do in the town of Danville. Mr. Clark has never been regarded as a reliable man.

Q. Well, is his character good or bad?—A. Well, I have given my idea of what his reputation is. I don't think any people in Danville regard Mr. Clark as a reliable man except pecuniarily. I believe he is regarded as a tricky man.

Q. Now, what is the character of Mr. James W. Bruce, Mr. C. M. Hendrick, Mr. J. G. Covington, tobacconist; Redd & Jordan, warehousemen? I want to see how many you know personally.—A. There are some of them I don't know at all.

Q. Just name over, please, those you do know?—A. C. M. Hendrick, I don't know; J. G. Covington, I do know; Redd & Jordan—I know Redd, I don't know Jordan; Daniel Coleman, I know; Schoolfield, I know; Fuller, I know; Hamlin & Hinton—Hamlin I know, Hinton I don't know; Norton, I don't know; George A. Lee, I know very slightly; Gravely & Burton, I don't know what Gravely that is; I know Burton; no, I know Gravely, not Burton; I meant to say I know Gravely; J. B. Westbrooks, I know; Thomas L. Poindexter, I know. I know Mr. Ruffin, of Ruffin, Woolfolk & Blair. Mr. John W. Holland, Graves, J. M. Covington, Graham & Brother, I don't know; S. H. Holland, I know; E. L. & A. Gerst, I know; Motock Manufacturing Company, I know both members of that firm; Holland & Burton, I have heard of; Booth, Wooding & Booth, I know one of the Booths very slightly, I don't know which it is; Estes & Wooding, I know; W. N. Shelton, I know by reputation; I believe I know him to speak to him; Lea & Jordan, I know Jordan; don't know Lea; I don't think I know him; I know some Leas in Danville, but I do not know whether I know this one; Harry Walker, I don't know; Edward S. Ragland, I don't know Ragland; I may know

Walker; I know several Walkers there, but I don't know whether I know this man or not.

Q. Well, now, you know the greater part of them, don't you think it is probable that you know a majority of them?—A. Yes, sir.

Q. Without entering into details, what is the general character of those names there whom you know?—A. The general character of those names prior to the time these men signed that circular was that they stood well in that community as business men, but a great majority of them were extreme partisans, and would resort to almost any means to carry any election. I must explain, there, that the situation of affairs in Danville and Pittsylvania County, with the Bourbon party, is a very peculiar one. You see men there who are ordinarily good citizens, and yet they think they are doing God's service if they prevent a colored man from voting, or do anything in the world to deprive a colored man of his rights. They think it is one of the highest duties. If they are churchmen they consider it a part of their creed to do everything in the world they can to uphold the Democratic party—the Bourbon rule in the State of Virginia—and if it is necessary to resort to any sort of trick or stratagem, it is not wrong at all to do that.

Q. Even to lying?—A. No, sir; not to lie for that purpose. They do evil that good may come; that is the general rule there.

Q. That is your opinion of the majority of those men?—A. That is my opinion of the majority of those people on that list.

Q. Now, that is your opinion, Mr. Sims; is that the opinion of the community in which they live?—A. I think that is the opinion of all who differ with them politically who have sense enough to think at all.

Q. Who are those who differ with them now that have that opinion?—A. Where are they?

Q. Who are they?—A. I never asked any man his opinion of those men in my life, but I know the general sentiment of the party in the county is what I have stated, that the current sentiment as I have expressed belonging to these men is the current of sentiment belonging to the leaders of the party in the county.

Q. What party?—A. The Bourbon party in Virginia.

Q. You say that is their opinion that you are giving?—A. I think that is the current opinion among the Coalitionists of the leaders of the Bourbon party in that section of the State.

Q. I reckon you don't understand me, or I don't understand you. Is that the current opinion of the leaders of the Republican party that these men would do anything, even to lying, to carry the election?—A. That these men are simply exponents and representatives of the leaders of the Bourbon party, and that these men would not do any more than most of their leaders would do, and most of their leaders would do exactly what they have done—they would lie for a political purpose. I do not mean to say that all of them would; I know some very high men there who are leaders of the party who would not do it, but the high men are not the men they take as their strikers. These men think it is a great injustice and a great hardship that was done when the negro was allowed to vote and put on a political equality with the white people of Virginia, and that while they have to submit they submit with a distinct understanding and agreement that they are going to do all they can within the law, or outside of it, if they will not be found out, to prevent the colored man from having his rights, and it is advisable for them to do it; that ignorance and poverty have been foisted upon them, as they say, by the Republican party, and made participants of the government, and they do not like and are not going to have it if they

can get rid of it in any way in their party. As they say, the white men shall rule; if not in one way, in another.

Q. When did you find all that out?—A. Well, it has been gradually dawning on me for several years. It has become more patent every year. I found it out more conclusively in the election when they voted, sixty-odd thousand of them in the State of Virginia, and two-thirds of that party in my county of Pittsylvania voted to keep the capitation tax, and used as their argument, not that they wanted to raise money, but merely it was a good way to keep the colored men from voting. That has been done in the last year or two.

Q. Well, you voted for that party, didn't you?—A. I never voted for that tax. I told the Democratic party that they made a great mistake. If they intended to have any liberal men go with them, intended to have any success in the country at large, they had to accord to the colored man all his rights under the Constitution.

Q. You were in the convention that nominated Mr. Daniel, wasn't you?—A. Yes, sir; I was.

Q. You were a canvasser for the State at large, were you not?—A. Yes, sir; but I did not support Mr. Daniel as a candidate before that convention.

Q. You supported him when he was nominated?—A. When he was nominated I did; yes, sir.

Q. Were you not on the committee that made the platform in that convention?—A. I was on the committee on platform; yes, sir.

Q. Did that platform contain anything about the taxation question?—A. No, sir; I tried to introduce it, as I can prove by Judge Harris and members of the committee. I can prove it by Mr. Penn, of Patrick. I tried to introduce it and they voted me down. They said it would ruin the party in the State of Virginia to have any such provision in the platform.

Q. Don't you know that that amendment to the constitution requiring the tax to be paid was adopted by the aid of the Republican party in Virginia?—A. I have no reason to think so.

Q. When the amendment was submitted to the people, how many votes were cast against it?—A. I cannot remember that. I don't remember. I know that in my speeches in that canvass I opposed that capitation tax amendment.

Q. You cannot recollect. I ask you if there were not less than 10,000 votes cast against that amendment to the constitution?—A. I have no recollection how it stood. I think that in that canvass the people of the State were not informed. I don't think the Republican party, don't think the colored people understood what the effect of it would be.

Q. So simple a proposition as that you think they didn't understand, that they had to pay their taxes before they voted?—A. I don't think they knew the effect would be to disqualify so many citizens of the State of Virginia. I think that the matter was not seen by a great many persons, and after the evil was discovered the Democratic or Conservative party I thought ought to unite to undo the evil, and I was very much surprised to find that instead of trying to undo the evil, they said it was exactly what they wanted.

Q. Now, Mr. Sims, you have said some very hard things here about the character of these citizens of Danville; I ask you if there have not been very serious imputations made against your character?—A. Oh, I have no idea—they didn't make them to me, I know that. Men that will circulate slanders and lies about one thing will circulate them about another.

Q. Of course.—A. I know this; I have never heard of anything of the kind—nothing of the kind—until I allied myself with the Coalition party. Never heard anything in the world against my character prior to that time. I have heard since a great many underground rumors going around about my character.

Q. Have there not been very serious allegations against your character as an attorney?—A. None that I ever heard.

Q. Never heard of any?—A. None in the world.

Q. Well, when a man sets himself up to denounce the character of other people it is fair that his own should be inquired into, isn't it?—A. I don't know whether it is or not. If it is a proper subject of inquiry before this committee, if my character is to be inquired into, I am perfectly willing to go into it. I would like to have the committee decide.

The CHAIRMAN. Senator, if you decide to go into his general character, I don't know but it is just as fair to give the witness a chance to state his side.

Mr. VANCE. Of course.

The CHAIRMAN. But I don't know that it is the usual way, because it puts a man in the attitude of testifying about himself.

The WITNESS. The charge I have made against these men is that they would do certain things for political purposes. I have said nothing about the private character of a single man there, so far as that goes. You asked me Mr. Clark's character, and I did not desire to give it.

The CHAIRMAN. You could examine as to his opinion of his general character. You could not go into particulars.

The WITNESS. I will state this: If there are any charges against me as an attorney, I can successfully answer and rebut any charges that are made against me.

Mr. VANCE. I will say, Mr. Chairman, that it is probable when my testimony is summoned we will assail the character of Mr. Sims, and he can either go on with it now or can take the opportunity of coming in when it is done (it may not be done), and therefore he can take his choice.

The CHAIRMAN. I think the better way would be to give Mr. Sims an opportunity to rebut.

The WITNESS. I would like to see what the charges are before I answer them.

Mr. VANCE. Of course I will not ask you any more about that now, Mr. Sims.

The WITNESS. I would like to have the opportunity, if any witnesses are to be examined on that—I would like to have the opportunity to reply.

Mr. VANCE. Certainly.

The WITNESS. I want to say—you say I have said some very hard things about these men. I do not assail the personal integrity, honesty, or truthfulness of any man whom I have spoken of here, except in connection with these political matters; but, as I tell you, I think the sentiment of those people there is that they are justifiable in telling any manner of lie—of doing any mean, dirty little thing for political purposes.

Q. Yes?—A. Now, I think that is the sentiment.

Q. Well, you could not describe a much lower state of society, if that is true.—A. Well, I can't help that; that is my opinion.

Q. Now, you spoke of a conversation with Mr. Ruffin on the train in your testimony yesterday?—A. Yes, sir.

Q. Who was present, if anybody, when that conversation took place?—A. No one except Mr. Ruffin and myself.

Q. No one at least hearing it except you?—A. Well, I know no one was present, because I know the circumstances.

Q. Do you mean there was no one else in the car?—A. No one else in the part of the car where we were. I know the circumstances of the conversation. I will detail them so you will know no one else was present. I was in the baggage part of the car. It was a car on the Martinsville railroad. It was divided into three compartments; baggage in the center, and a second class compartment in the front and a passenger compartment in the rear. I was sitting in the front part smoking, and Mr. Ruffin came up and spoke to me and invited me into the baggage part of the car. Said he had something good to drink, and we went in and took a drink in the baggage part of the car. He then went back with me to where I was sitting and I had a package of papers, campaign documents, which I was carrying up to distribute at an appointment where I was going to speak, and he commenced looking over them, and in looking over them he came across the Danville circular and asked me where I got it.

Q. Well, I didn't ask you to repeat the conversation?—A. I mention that to show that no one was present but Mr. Ruffin and myself.

Q. I want to ask you about the circumstances that you say occurred on Saturday night after you came in from the country. You stated that in three minutes after you got in Mr. Terse's house two hundred and fifty people surrounded it.—A. I think you state positively what I did not state positively.

Q. Well?—A. My idea was that in a few minutes a large crowd had assembled. I could see a good many on the side street from the window which I looked out. Those on the front street I could not see, but they seemed to be the center of a crowd there, and I would not be surprised if there were two hundred and fifty people in all there. Of course I do not know how many there were there. There might have been one hundred, but it was a large crowd and late at night, and it is very unusual for a crowd to assemble there at that point.

Q. Were they whites or blacks?—A. I could not say that, except what I believed.

Q. You could not say positively whether they were friends or foes?—A. I believed that they were foes.

Q. Well, but do you say that positively?—A. I could not state it positively, but I can give you my reasons for believing it.

Q. Did they make any demonstrations; utter any language?—A. I couldn't hear their language; could hear mutterings in the crowd, and I could hear pistols fired in the circumference of several hundred yards. I had no idea from what I had heard, of the condition of affairs in the town that negroes would be in a crowd in the town that night. I saw white men running out of Holland's factory as I came in; Mr. Terses told me that a crowd had inquired for me at the livery stable, therefore my inference was as they didn't come up to see me—if they had been friends they would have come up to my room. My inference was that they were foes, and I have no idea any Coalitionist could have gone on the street that night with safety, certainly not in a crowd.

Q. When you came out Saturday morning just before starting to the country to your appointment, were there not a number of colored men assembled in front of your room, or house—Verser's?—A. Not that I

know of. My recollection is I did not come out of my room, that I came immediately—I don't know whether I got breakfast at the restaurant just above and then got shaved, or got shaved and went to the restaurant. I either came directly from the restaurant or from the barber shop to the buggy. I don't think I came from my room to the buggy to give them instructions, but I was not making any speech to any of them. I was giving them private instructions as to their duties in the canvass if I was talking to colored men or white men there on that occasion.

Q. You say, in your speech the night before, you advised the colored men not to go armed to the polls?—A. I did.

Q. And you say that you believe that the white people took advantage of that advice to slaughter them when they were unarmed?—A. I think so. I don't say the white people; I say the men who did that.

Q. Well, how do you know that they were unarmed on Saturday when you were not present?—A. I only know it from the evidence I took in my contested election case, and from affidavits which I took, not having time enough to take all the evidence by deposition, and from the evidence taken in this case that very few, if any of them, had arms.

Q. Well, wherever it was, wasn't there a number of colored men standing there near your buggy?—A. Not that I remember. It was near the market, and the crowd was unusual; the crowd that was assembled there was unusual.

Q. Was an unusual crowd?—A. Yes, sir.

Q. Did you not go and speak to a number of colored men, one at a time?—A. I cannot remember; it is possible that I did.

Q. Gesticulating emphatically with your finger this way [indicating].—A. No, sir; I cannot remember that. If I was talking to colored people I was simply giving instructions as to how I wanted votes brought out on election day. If I was gesticulating to them I was not talking about anything but their duty as canvassers. I had a great many, both colored and white men, who discharged different duties in the canvass, and they generally met me in Danville. I made that headquarters, and I met them on the street or any where else, and I know from the fact that if they had had arms some white person would have got shot; and if they had had arms they would have probably shot, and they would not all have been shot in the back; they would not all been shot as they ran.

Q. Your advice was not to go armed on election day? You did not advise them not to go armed that day, did you?—A. No, sir; I had no anticipation that any assault would be committed on them until election. The information I had received was that they were to be kept from the polls election day by violence.

Q. Some of these gentlemen whom you denounced on Friday night are men of what we call in the South *dead pluck*, are they not?—A. There are some who have that reputation.

Q. Yes. Now, when you spoke that way of men of known courage, didn't you have to expect that there would be a row?—A. I think Mr. Covington and Harry Wooding. I don't know what the reputation of the balance of them is for pluck.

Q. I ask you if you did not calculate on there being a row when you made such a statement concerning men of known pluck?—A. I had no idea, sir, that a man of pluck would kick up a row with an individual by a mob; I thought that if there was to be a row it would be with me individually; I had no idea they would shoot people colored in the back for what I said, especially if they were brave men.

Q. You did expect, though, there would be a row with you individua-

ally?—A. I did not care whether there would be or not; I spoke my honest sentiments.

Q. You spoke, then, regardless of consequences?—A. To myself personally; yes, sir.

Q. Didn't you know that your language had a tendency to inflame everybody else who heard it?—A. No, sir; nor do I know it now.

Q. In the state of high excitement of the public sentiment there, didn't you know, or have reason to know, that your speech was a dangerous one for the public peace?—A. No, sir; I had no idea it would be. If it had been, I would not have allowed my personal feelings, even with my idea of public justice, to induce me to make a speech of that kind, if I had had any idea that one man was going to lose his life for it except myself. I may have thought I was in danger of losing my life, and I may have thought if I was going to lose mine somebody else would lose theirs, but I had no idea any colored man, or any man of any party would be hurt.

Q. You knew you had a great many friends who would stand up to you, didn't you?—A. I had a great many friends. I had never heard them say they would stand up to me in a personal difficulty. I had no reason to say that they would stand up in a personal difficulty.

Q. You knew that the signers of this circular had a great many friends?—A. I did not suppose that the friends of 28 men would find it necessary to form a mob of whites—28 men—to assault these men. I suppose that any man who felt aggrieved would come to me, but I had no idea their friends would combine to make an attack upon anybody.

Q. Well did they?—A. They did not that I know of except that they formed this mob. They didn't make the assault on me, I believe they formed the mob for that purpose.

Q. But no violence or disrespect was offered to you whatever?—A. Well they pointed guns at me.

Q. That was when you came into town?—A. Yes, sir.

Q. And they didn't know you were in the buggy?—A. They didn't know that. They inquired to know whether I was in the buggy. I was not fool enough to tell them when there were ten or twelve men with shotguns and only two of us in the buggy.

Q. Do you not know that there were special efforts made to protect you and everybody else after the riot was over?—A. I heard Mr. Wheeler testify that Colonel Cabell had said to him that "it was owing to his exertion that my life was spared, and that a great many *brave* and *determined* men had determined to kill me on sight." I could not see why *brave* and *determined* men should combine together to kill one man, but I heard that Colonel Cabell said so. I don't know whether he said so or not. That is the only effort I heard of that was made to save my life.

Q. Well, I speak generally of the peace of the town after the first wave of excitement had subsided; if there was not every effort made to quiet everything and preserve the peace?—A. I don't know the condition of Danville except up to Sunday night, when I left Danville—Sunday night at half-past 10 o'clock—for Richmond. Although I don't hear well, I heard several guns or pistols fired off within the limits of the town as I was on my way to the depot.

Q. What time of the night was that?—A. About half past 10 o'clock Sunday night; I saw armed men at almost every corner on my way to the depot that night.

Q. They were there by authority, were they not?—A. I don't know that. I don't know, and I have no idea I could have walked to the

depot that night except in the presence of two Democrats, nor do I know why they sought me out to go to the depot. I did not ask them.

Q. Who went with you?—A. Mr. E. W. Barksdale was going to Chatham. He came to my room about 10 o'clock and told me that his father and brother were going to escort him to the depot; that they had reason to believe he would be attacked, and they were going to protect him, and asked me if I wished them to go with me. I told him I did not; that I was going by myself; that I did not want to endanger any friend by asking any friend to go with me. I told Mr. Verses, who was in the room with me, that I did not desire him to go, but that if they were going to the depot with Mr. Barksdale, and had no objection, I would walk with them, but I did not request it. They came back in a few minutes and said they were perfectly willing for me to walk with them, and that it was safest for me to do so. I walked to the depot with them. They were both Democrats. E. W. Barksdale was a Coalitionist.

Q. When you got to Richmond you wrote a note to the governor, did you not?—A. Yes, sir.

Q. That you spoke of yesterday?—A. Yes, sir.

Q. Is this it which I find appended to your case here [handing letter already in evidence to witness]?—A. Yes, sir.

Q. Is the statement there a true one as to the condition of affairs in Danville?—A. I think it was, from what I saw that night, and from the message that I had received that day from the mayor telling me to get out of the town; from reports I had had from men whom I considered reliable in the town of Danville, as to the condition of it; from the fact that Democrats themselves thought that it would not be safe for me to go to the depot, and from the fact that I had not seen, that day, but one colored man on the street, and had heard from very reliable men that the churches were all closed, and that not one colored man could be seen on the street. I had no idea that the colored men could be induced to go to the polls. I wrote that simply for the purpose of asking protection, so as to bring out, if possible, the full vote of the party on election day.

Q. In that note you say, "An armed mob still control the town." Was that true?—A. I think so.

Q. Was not that "armed mob," as you call it, under control of the sergeant of the town, Mr. Wood?—A. It was nominally under the control of the sergeant, but two if not more of the active participants of the mob of Saturday were in charge of squads of the police. Captain Graves, who was a man who did a great deal of shooting on that occasion, was one of the mounted police. I call a force of police of that kind, when it was all in charge of rioters or mobites on the day before—I call it a mob still.

Q. That is the way you want it to be understood?—A. Yes, sir; that there was nothing more to restrain them the next night than there was the day before.

Q. Did you ask Governor Cameron to send troops from Richmond?—A. No, sir; I told him, on the contrary, that I didn't believe troops from Richmond would be of any service.

Q. Did you telegraph to the President of the United States asking for United States troops to be sent here?—A. No, sir; I told the governor I thought it was a case in which he would be justifiable in doing it; but the governor was so averse to ordering United States troops he would not do it.

Q. You did not telegraph yourself?—A. I did not.

Q. Nor procure it to be done?—A. I do not think the President ever received any communication on the subject; certainly not from Governor Cameron or myself. If he ever received any I never heard of it. I never had any communication with the President on any subject.

Q. If he received any it was without your knowledge, then?—A. It was.

By the CHAIRMAN:

Q. Senator Vance has asked you about your opinion of the general character of these signers of the Danville circular. I ask you if you speak of their general character in regard to honesty or standing in the community or only as politicians signing this circular?—A. As I have stated, so far as I know or believe, there is not a man who signed that circular who would tell an untruth, I mean for personal gain or pecuniary gain or for any purpose in the world except to subserve his party ends. What I have stated about them I have said simply as to what I believe their views are with regard to their duty to the Democratic party of Virginia.

Q. Is it not a fact that the leaders of what you call the Bourbon party, including the signers of the Danville circular, felt that it was right in every way to exclude the colored people from voting?—A. Not only right, but I think they regarded it as their duty—their duty to society, their duty to their families, their duty to their State, and their duty to their country. That was the general opinion among them.

Q. Then, if a Mohammedan, in the olden times, killed or slaughtered great numbers of people, you would not say that he was a barbarian, except that he was a fanatic in regard to his duty to his faith. Is that your idea; that this was a hostility growing out of their peculiar feelings toward the colored people?—A. You may call it fanaticism; and that is a most charitable way to put it. When men tell stories you may call it fanaticism, but they are still lies.

Q. But have not you yourself seen men often who would tell lies broadly to promote a political end who would scorn to do it as a private citizen?—A. I believe so; I will state that the parties who bribed my ticket-holders, substituting false ballots, I regarded them as dishonest, but I think they regarded it as a legitimate political means to defeat our ticket.

Q. That is, they were at liberty to cheat in politics, but not as private citizens?—A. Yes, sir.

WASHINGTON, D. C., *Thursday, March 27, 1884.*

S. J. QUINN (white) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in Fredericksburg, Va.

Q. What is your occupation there; are you publishing a paper there?—A. Yes, sir; I publish a paper, and also am a deputy collector of internal revenue.

Q. When did you first hear of the Danville circular, as it is called?—A. What circular do you refer to?

Q. I mean the circular addressed to the people of Southwestern Virginia, sent out by the citizens of Danville; do you remember that cir-

cular?—A. I don't think I saw that circular until the Monday before election.

Q. The Monday before the election?—A. Yes, sir; that is, in circular form.

Q. Was that before or after you heard the news of the riot in Danville?—A. That was after I heard of it.

Q. To what extent was that circulated, distributed, before the election?—A. Would I be permitted to tell what I have heard?

Q. Well, give us the source of your information, if you only heard it from others.—A. It was circulated throughout Spottsylvania and adjoining counties.

Q. What effect, so far as you could learn or know, did it have upon public opinion, creating excitement or otherwise?—A. Well, that circular in regard to the riot in Danville did not create much excitement. It is another circular.

Q. I will ask you about the second circular. When did the news come out about the riot?—A. The news of the riot was received there by telegraph on Saturday night before the election Tuesday.

Q. In what form was it issued; published in a newspaper or in a circular?—A. It was circulated in a circular.

Q. Where was that printed?—A. I was told it was printed in Fredericksburg, and the type used in printing it convinced me that it was.

Q. Have you a copy of that circular?—A. I have not with me.

Q. Will you be kind enough to send to the committee a copy of that circular when you return home; you did not bring it with you?—A. No, sir; if I can procure one I will send it.

Q. What was the purport of that circular?—A. It was merely stating, as near as I can recollect, that there was a riot in Danville, and giving a certain number of negroes who were killed and some whites wounded. I do not remember whether the exact number of wounded and killed was in it or not.

Q. Well, the circular itself would show that, and we will have that, no doubt.—A. Yes, sir.

Q. What was the effect of the circular upon the public mind?—A. Well, it excited the public mind right smartly.

Q. What tendency had it to draw the color line in the election?—A. The color line had been pressed to some extent before that circular was received there. Of course that caused them to press that more than before.

Q. How long before this had the color line been drawn; this circular appeared the Saturday before the election, I suppose?—A. Yes, sir; this circular in reference to the Danville riot was circulated in town there on Sunday evening at a funeral; that was the first I heard of its being circulated; and then on Monday at Spottsylvania County court-house, where a very large gathering had assembled, they were circulated there.

Q. When was the color line previously drawn; how long before that had it been drawn?—A. Well, sir, more or less, from the time the canvass opened.

Q. This, you say, intensified the feeling?—A. Yes, sir.

Q. To what extent was that circular distributed?—A. I could not tell, only so far as the town and county were concerned; they circulated it right extensively in the county, because they had a fine opportunity. People were from all parts of the county at court, and they were circulated very extensively at court.

Q. Is Spottsylvania the county-seat of the same county in which Fredericksburg is situated?—A. Yes, sir.

Q. Fredericksburg is on the river, and Spottsylvania is the court-house?—A. Yes, sir; Spottsylvania court-house is located some twelve miles from town.

Q. And the circulation was general at the court-house and also in the town?—A. It was circulated in town Sunday evening, and very extensively at court on Monday.

Q. I will trouble you to send me a copy of that circular; a copy of the Danville circular, and a copy of the circular in regard to the riot.—A. Yes, sir.

By Mr. VANCE:

Q. You say you saw the Danville circular first in circular form on Monday before the election?—A. I think that was the first time I saw it.

Q. But had seen it published in the newspapers before that?—A. Yes, sir; it was published in the newspapers, and I believe that Colonel Ralston, of Lynchburg, had answered that circular, and that was also published in circular form.

Q. That also had equal circulation?—A. Yes, sir.

Q. Now the news, or dispatch, or circular, giving an account of the riot, you say, came Sunday evening?—A. No, sir; the news came there by telegraph on Saturday night, and it was printed on Saturday night; so I was told by the chairman of the Democratic committee.

Q. Was it a sort of extra from the newspaper there?—A. No, sir; it did not go into the newspaper at all.

Q. I say it was a supplement or extra from the newspaper office, was it not?—A. Something of the kind.

Q. Yes, and circulated next day extensively?—A. Sunday it was not circulated so extensively, because there was not an opportunity; there was quite a large funeral in the evening, when it was circulated—so I am told; I was not at the funeral—and it was circulated extensively Monday at the court.

Q. You say that paper merely gave an account of the riot and the number killed and wounded?—A. Yes, sir; and some comments from a gentleman who lives there in town, and his name was signed to the circular.

Q. Well, the news part of the circular was correct, was it not; as to the number killed and wounded?—A. I think it was about the same as the telegrams.

Q. Did you see anything of another telegram, or dispatch, or, circular, issued from Petersburg, calling upon the colored people to turn out and avenge the murder of their colored brethren?—A. No, sir; I never saw anything of that sort.

Q. What kind of a thing did you see on that subject from the other side?—A. I have never seen anything on that subject, except the meetings that were held and resolutions passed in reference to the Danville riot, after the election; I think there was a public meeting in Staunton, and one in Lynchburg.

Q. Yes, but I was asking you if some dispatch was not sent out from Petersburg, addressed to the colored people, and calling upon them to turn out at the election and avenge the murder of their brethren?—A. I don't recollect seeing any circular of that kind.

Q. Did you see any dispatch of that kind?—A. Not that I know of. I would not like to say positively, because I was not editing a paper at

that time, and I was not as careful to watch those things as I would have been if I had been editing the paper.

Q. The reason why I asked the question is, it has been stated that there was such a dispatch sent all over the State.—A. If there was, I did not see it.

Q. How was the election in your town?—A. The election in our town was very quiet.

Q. Did everybody vote freely?—A. There was no restraint there that I know of.

Q. No restraint at all?—A. No, sir; there was a street fight Monday morning between a gentleman and a colored person, that grew out of an old grudge, and it was turned to some extent to political effect, but there was no political significance in it.

Q. I mean there was no violence or bull-doing offered on the day of election?—A. No, sir; I think we had a fair election in Fredericksburg.

Q. The two parties respectively polled their full strength?—A. Yes, sir; I believe they did.

Q. Did the colored people vote their full strength, usual strength?—A. I think they voted their full strength.

WASHINGTON, D. C., *Friday, March 28, 1884.*

WILLIAM B. KURTZ (white) sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Waynesborough, Augusta County, Virginia.

Q. What employment have you there?—A. I have been postmaster there for the last year.

Q. Do you remember first hearing of the occurrences at Danville a few days before the election?—A. Yes, sir.

Q. When did you first hear of the riot at Danville?—A. On Sunday afternoon following.

Q. How far do you live from Danville?—A. I suppose by railroad it is something over 200 miles; I am not sure as to the distance.

Q. In what form did that news first come to you?—A. Early Sunday morning, before I had dressed and come down stairs, I walked to my window and threw it up, and saw a large crowd on the street at the corner—the prominent corner of the town. I made the remark to my wife, “There is something wrong, there is something up; all the church people are out on the corner of the street”; and I came down to the office. I did not find out what the actual cause was. There was some excitement about it. One of my friends heard the crowd saying—

Q. You need not tell that.—A. That I had my house packed full of negroes, keeping them there secreted until the election was over. Well, I took it for granted that was probably the cause of the excitement, and I did not find out anything about the riot until it leaked out in the afternoon.

Q. Just tell us what occurred; you found out what the cause of the excitement was in the afternoon?—A. Yes, sir.

Q. What did you find?—A. I simply heard there was a riot in Danville between the colored people and the white people, and that there had been a number of negroes killed.

Q. Did you see any circulars at that time?—A. Not then; no, sir.

Q. When did you first see the circular?—A. On Monday.

Q. Have you got one of those circulars?—A. I have the Danville circular. I have not got the notice of the riot.

Q. You have not got a copy of the circular that was issued there giving an account of the riot?—A. No, sir; I have not got that. It came out in all the papers, in extras, on Monday. It came to the town in the shape of extras from Staunton.

Q. (Referring to circular handed him by witness.) This is the "Coalition Rule in Danville" circular. Where did you get this?—A. I got that from a colored man who took it out at the office and asked me to open and read it for him. He told me he did not want it, and left it with me. I got a number of them that way.

Q. How generally were they circulated there? How many probably came to your office?—A. Well, you might say bags full of them went through our office. We transferred the Shenandoah Valley mail at that time.

Q. Were they circulated from your office?—A. Yes, sir; this circular [handing another paper to the chairman] was circulated from our office.

Q. Did you sell stamps for these circulars?—A. For these circulars [referring to last paper]?—A. Yes, sir.

Q. Did these circulars go with the Danville circular?—A. With that Danville circular; they belong together; those two that were in that envelope.

Q. Are these two the same?—A. Yes, sir; I believe they are.

Q. (Examining the two circulars.) These are the same things exactly?—A. Yes; those came out in different form. These [referring to one of the circulars] were printed in our office at Waynesborough.

Q. This one is issued from the Waynesborough office. I see "Waynesborough Message and Job Printing."?—A. Yes.

Q. This is the same as the Danville circular?—A. Yes, sir.

Q. Those were distributed from your office in large numbers?—A. Yes, sir.

Q. With this inclosure [referring to the following paper]:

WAYNESBORO' DEMOCRATIC CLUB,
October 29, 1883.

Mr. MATHIAS ABLE:

The election which takes place on Tuesday, November 6, 1883, is one of the most important which has occurred in our State since Governor Wells ran in 1869. Then the issue was white government or negro. The same issues are involved now. Our brethren in the eastern counties are calling on us to come to their relief. We, your committee, urge upon you to be sure and come on election day, rain or shine, and vote for the white man's party, and bring your friend. Under no circumstance trade your vote off with a Republican, but vote your own ballot.

R. G. WRIGHT,
J. A. PATTERSON, JR.,
J. S. MYERS,
Executive Committee.

A. That was issued by the committee of my town.

Q. I will ask you whether this circular, "Read to proof," was given out about the same time?—A. Immediately after that Danville circular was put in circulation. This letter was written to a party at Harrisonburg.

Q. This is marked by you, I see, "No. 3."—A. Yes; we had a great many of those things and filed them.

Q. It is headed "Read the proof. The Danville circular as true as gospel." That is the circular that was circulated?—A. Yes, sir.

Q. I will offer this in testimony. It is as follows:

(3.)

READ THE PROOF.

The Danville circular as true as gospel. The sworn evidence of all its signers, and letters from two prominent citizens of that city confirming the whole matter.

These two letters were received by a gentleman in Harrisonburg, and along with them the affidavit given below, and if any one doubts their genuineness, the originals can be seen at the office of the Rockingham Register, in Harrisonburg, by all who may apply for them.

DANVILLE, VA., October 30, 1883.

MY DEAR ———: These facts set forth in the circular sent out by Messrs. Holland, Ruffin, Woolfolk, and Blair, and others is true in every particular, and recites only a few of the indignities to which the white people of Danville have been subjected. We appeal to our white brethren of the valley and southwest to come to our aid, because they only can help us, having an overwhelming white majority. We appeal to them because there are 300 old Confederate soldiers with their families here—men from every portion of Virginia and North Carolina—who stood by them when they carried their lives in their hands, and we beg them now to stand by us with their ballots, and save us from the black wave of ignorance and vice which threatens to overwhelm us. I know the white men of the valley, both Republicans and Readjusters, would not consent to vote for General Mahone's candidate if they knew to what extremity the success and excesses of that party would reduce us, the white race in Southside, Virginia. You can show this to whom you choose, and while you know me and that what I write is true, there may be others who may be unwilling to believe one of whom they know nothing. To them I refer as to my character to Senator Lewis and to my friend Mr. D. S. Lewis, who, I believe, resides in your town. Give my kindest regards to your family.

Your friend, truly,

LEWIS E. HARVIE, M. D.

DANVILLE, VA., October 30, 1883.

MY DEAR ———: I received your letter of yesterday this morning, and was glad to hear from you again. The circular letter, "Coalition rule in Danville," is genuine and authentic, and all the facts stated therein are true, and can be substantiated (if doubted) by our best citizens. Our condition here under negro rule is horrible, and far, very far, beyond the conception of the white men in those counties which have white majorities. I know that if your people could only appreciate our condition and realize the enormity of the indignities that are being constantly put upon us, they would all come to our rescue and put white men in office. Here, where we suffer so, and where we all know by experience what negro domination is, you rarely find a white Readjuster. Two years ago you could count them by the score; now there are only sixteen in our town, so far as I can find out, and all but four of these hold office. Negroes here speak openly and boldly of social equality, and discuss it in all its various forms, and a negro Readjuster announced from the stump recently that he would live to see the day when he would sleep with a white wife. I could weary and sicken you with detailed accounts of the various outrages here, which will only be increased until we are driven to desperation, if Mahone carries the State this fall, and you know, and I know, that the natural feelings of one white man for another would cause your people to vote to free us from this thralldom if they were familiar with the facts here. We hear that the Mahone leaders denounce our circular as being the work of a hireling committee. When I tell you that I was one of the originators of that paper, you will know this is false. Our pitiable condition forced us to make this appeal to our Anglo-Saxon brothers in that portion of the State where they are in the majority, and, consequently, in a position to help us. I beg that you will do what you can for us, and get us as many votes as you can. You may say to your people that with us the debt is regarded as settled forever, and we have no wish and no disposition ever to renew it again. We would as soon think of agitating secession again. Help us and get your friends to help us, and you and they will receive the gratitude of an oppressed people.

Our condition is no worse than in other portions of the "Black Belt."

With kind regards, and a desire to see you at my house,

I am your friend,

W. N. RUFFIN.

DANVILLE, VA., *October 30, 1883.*

We, the undersigned, certify that the circular paper entitled "Coalition rule in Danville," addressed to the citizens of the southwest and valley of Virginia, is a genuine paper, and was signed by us with a full knowledge of its contents, and that every fact stated therein is true to the best of our knowledge and belief, and can be substantiated by the oath of responsible and respectable persons.

(Signed by:) W. T. Clark, merchant; James W. Bruce, merchant; C. M. Hendrick, builder; J. G. Covington, tobaccoist; Redd & Jordan, warehousemen; Daniel Coleman; J. E. Schoolfield, merchant; A. G. Fuller, tobaccoist; Hamlin & Hinton, merchants; C. H. Norton, contractor; Geo. A. Lee, tobaccoist; Gravely & Burton, grocer; J. B. Westbrook, foundryman; Thos. L. Poindexter & Son, warehousemen; Ruffin, Woolfolk & Blair, real estate and insurance agents; John W. Holland, tobaccoist; W. P. Graves, warehouseman; J. M. Covington, tobaccoist; R. B. Graham & Bro., builders; S. H. Holland; E. L. & A. Gerst, tanners; Morotock Manufacturing Company; Booth, Wooding & Booth, merchants; Estes & Wofing, merchants; W. N. Shelton, tobaccoist; Lea & Jordan, warehousemen; Harry Walker; Ed. S. Ragland, foundryman.

STATE OF VIRGINIA,
Town of Danville, Virginia:

I, R. R. Miller, a notary public for corporation aforesaid, do certify that the gentlemen whose names are signed to foregoing writing, bearing date 30th October, 1883, personally appeared before me, in my corporation aforesaid, and made oath to the correctness of the same, to the best of their knowledge and belief. Given under my hand this, the 30th day of October, 1883.

R. R. MILLER, *Notary Public.*

Q. What was the state of feeling existing in your neighborhood at that time in respect to politics?—A. It was very intense.

Q. Excited?—A. Yes, sir.

Q. What was the cause of that?—A. Well, the Democrats—I call them Bourbons—had made up their minds that we had the dead-wood on them; that we had them whipped in that State.

Q. Had these circulars anything to do with the state of excitement?—A. Oh, yes; they increased the excitement materially. The intolerance was very extreme, and these still aggravated it—made things worse.

Q. What were then the relations between the two parties; what was the state of excitement; was there any hostility between the two parties at that time?—A. There were only one or two white men besides myself who composed the opposite party, and the colored men kept aloof.

Q. Then it was substantially a feeling between the two races?—A. No, sir; I think the feeling was between the Democrats and myself principally. They accused me of all the trouble there; said the town would get along very comfortably if damned old Kurtz was out of the way.

Q. You were the head and front, you think?—A. It seems so.

Q. What was the excitement against you about?—A. Because I took a prominent stand in antagonizing the Democracy pretty severely.

Q. It was political, then?—A. Altogether.

Q. Had you heard of any excitement or probable trouble in Danville before it occurred, or any preparation for it?—A. I heard Mr. Callfee, who was then a postal clerk, on the morning before the election—

Q. You had better just answer my question, yes or no, in the first instance.—A. Yes, sir.

Q. Then what did you hear?—A. That he had been in the Lynchburg telegraph office, being a telegraph operator himself; heard a message by sound going through the office, ordering eight dozen pistols for Danville; Smith & Wesson pistols to be sent by express.

Mr. VANCE. Who is that?

The CHAIRMAN. He says a postal clerk had informed him.

Mr. VANCE. How does that become testimony?

The CHAIRMAN. I think if objected to it might be necessary to send for the person named.

Mr. VANCE. Well, that would certainly be better.

By the CHAIRMAN:

Q. Did you hear any expression of opinion from persons in your own neighborhood in respect to affairs in Danville?—I did

Q. I mean from the Democrats?—A. No, sir; not from the Democrats.

Q. What was the nature of the information you heard; I don't ask you what it was, but simply what it was about?—A. Well, there were threats made.

Q. Who were the threats made by?—A. Democrats.

Q. Did you hear the threats?—A. No, sir; I was told of them.

Q. Well, then, I don't ask for that; did you hear any Democratic speeches at that time; did you hear Mr. Opie?—A. I heard Mr. Opie's speech at the jollification meeting after the election. He was elected a delegate to the Virginia legislature.

Q. What was the purport of his speech then?—A. The only striking point in his speech was that he thanked God, from the bottom of his heart, for the Danville riot; that it was a God's blessing in disguise.

Q. Is he a member of the legislature of Virginia?—A. Yes, sir.

Q. Was he applauded?—A. Yes, sir; well, the boys did nearly all the applauding at everything that was said that night; I think the Democratic people that were there, that had any sense at all, were ashamed of it.

Q. What is the name of that postal clerk?—A. A. P. Callfee.

Q. Where does he live?—A. Wytheville.

Q. Is he there now?—A. Yes, sir; he is a short distance beyond Wytheville.

Q. He is a resident there?—A. Yes, sir.

Q. He is not a postal clerk now?—A. No, sir.

By Mr. VANCE:

Q. Is there a telegraph at Waynesboro'?—A. Yes, sir.

Q. There was nothing strange in the news getting there Saturday morning, was there?—A. No, sir.

Q. The mail would be brought out that evening, would it not?—A. No, sir.

Q. It would be brought out Monday, wouldn't it?—A. No, sir; the mail does not arrive until after nine o'clock on that road.

Q. How long does it take mail to get from Danville or from other points in communication with Danville?—A. A mail from Danville would be 24 or 36 hours before it would reach us, because there is no connection with the mail route; they would have to go to Lynchburg and back.

Q. What road is Waynesboro' on?—A. It is the junction of the Shenandoah Valley road with the Chesapeake and Ohio.

Q. Who was this gentleman that made the jollification speech?—A. John Young Opie.

Q. Where did he make it?—A. At Waynesborough.

Q. When?—A. He made it on the Saturday night after the election.

Q. Well, you don't suppose that speech by relation had any effect on the election?—A. Oh, no; the election was over.

Q. The election was over, and you say most of the sensible Democrats were ashamed of what he said?—A. I think they were ashamed

of the result of the Danville riot—the effect of the Danville riot upon the community generally.

Q. I know; but that is what you said to Mr. Sherman, that the sensible Democrats were ashamed of what he said?—A. They didn't feel much like shouting about such a thing as that.

LINSEY M. SHOEMAKER (white) sworn and examined.

By the CHAIRMAN:

Question. Have you ever lived in Danville?—Answer. Yes, sir; I have lived some twenty odd years there, up to the middle of last February.

Q. You are the gentleman who built the public building there?—A. Yes, sir; superintended the construction of the building.

Q. Where do you live now?—A. The city of Lynchburg; moved there in February.

Q. Were you living in Danville at the time of the riot?—A. Yes, sir; North Danville.

Q. What was the state of feeling in Danville preceding the riot?—A. Well, some three or four weeks before the election my attention was called from conversations with some friends, one of whom has testified here, Dr. Temple, who was my physician, and I observed that he was becoming very much excited. He is usually a very calm and conservative man, had taken very little part in politics, and in one or two conversations I had with him I found he was becoming very much excited upon the subject of the coming election, and said to me when I was talking with him, trying to advise me to keep out of it, to have nothing to do with it. He said that they were organized; that they had never been organized before, and that they had plenty of money, and they meant to win; that if he thought that they would not overturn the Republican government or Readjuster government of the city he would not live there—he would move away; but he was satisfied they were going to win or going to overturn the government. He complained of several of the officers there; mentioned some names. I very frankly acknowledged that if I lived in Danville I would not be pleased with those officers myself, but that I would take legitimate means to get rid of them. "If you beat them at the election at the polls," says I, "you will find the Republicans and Readjusters quietly submitting." In reply to that he said, well, they were going to get rid of those men and they were going to win the election. I had a conversation with another friend, equally as conservative, I thought. He came to talk with me himself about my position. After some complimentary remarks to me about my course heretofore, my liberal Republicanism, &c., he expressed his astonishment at my stating that I should go with the liberal party as against those men who had always antagonized my views. I said, "Clark, you know I was always an old Whig before the war, and——"

Q. Who was the gentleman you were talking with?—A. Mr. William T. Clark.

Q. One of the signers of the circular?—A. Yes, sir; he had always been a personal friend, and I had reason to like him, and always thought highly of him; he told me the same thing, that they were organized; that they never had been organized before, and they meant to overturn that government in Danville; they would not submit to it. I repeated about the same thing and said, well, if you take the proper steps, and all that, it will be right, all legitimate; but I then expressed the opinion that I was afraid that they were becoming so much excited that there

would be trouble, and after that I heard talks on the street as I would be passing. I would hear remarks and there was an apprehension in my mind that they were going to have trouble on the day of election. I took very little part in politics except in an advisory way. I heard Colonel Sims speak to my club—the North Danville Club—the Friday night before the Friday night of the Saturday of the mob.

Q. Was it the day before the mob?—A. No, sir; it was the Friday night week before. He was invited to come there and address the club.

Q. North Danville?—A. Yes, sir. I never heard a more conservative speech in my life from anybody than Mr. Sims made that night. It was explanatory of the position, and his advice to the colored people was to have no difficulty or trouble—to go away; if white men wanted trouble with them to leave them, and he said “It all depends upon your votes; the vote of North Danville.” He had it all—he had the vote of the entire county—and he stated to them, if you come out to the polls, won’t be intimidated or bought, you can elect me by 500 majority, and it is all with you colored people. When he left that night I congratulated him upon the mighty conservative speech he had made, and I thought he had made a very effective one. The purpose that night was for them to go to the polls and vote.

Q. What effect of excitement there did the Danville circular have?—A. I was taken sick Tuesday and was confined to my bed, to the house, and I didn’t see anything of that. I did not know anything about it until I became convalescent and heard them talking in my chamber.

Q. It was all over then?—A. Yes, sir; I knew nothing of the riot or election except from the excitement. I know what I heard, but then of course that is not testimony.

Q. How long were you ill, you say you were taken sick Tuesday before the election?—A. On the Tuesday after the Friday night that Colonel Sims spoke, I was taken sick.

Q. That was the week before the election?—A. Yes, sir; that was just one week before the election. I was not out of the house then for more than two months. I was confined, but heard a great deal of what was passing from the physician and my neighbors.

Q. What was the state of excitement then a week before the election?—A. There seemed to be a little; all parties regretted that this difficulty had occurred.

Q. No; I mean during the first week before your illness, what was the feeling of the persons whom you came in contact with?—A. Well, sir, there was an excited state of feeling, a determination on the part of the opposition to win the election if possible.

Q. You mean by opposition, the Democrats?—A. Yes, sir; the Democrats; they called themselves Democrats then for the first time. They were Conservatives before that, but this time it was a broad open Democratic party claimed by them.

Q. They were very much excited you say?—A. Very much excited.

By Mr. VANCE:

Q. Did either Mr. Temple or Mr. Clark or these gentlemen you talked with tell you they were going to use violence?—A. No, sir.

Q. But said they were organized as they never had been before?—A. Yes, sir.

Q. And they intended to win if possible?—A. Yes, sir.

Q. And overturn that government in Danville?—A. Yes, sir.

Q. Well, you agreed that some of those men ought to be gotten rid of,

didn't you?—A. I thought there were some officers there whom no good citizens ought to permit to exercise authority over them. I was frank to say so, and say so yet.

By the CHAIRMAN:

Q. You may name the particular officers whom they complain of.—A. Well, Mr. Luck who was then a magistrate.

Q. He was removed afterwards, was he not?—A. Yes, sir; a man by the name of Lee was also removed by the judge.

Q. They were removed by the judge before the riot took effect?—A. Yes, sir; Mr. W. P. Robinson.

Q. Let me ask you if these two officers were not Democrats or appointed by Democratic officers—Luck?—A. That I don't know.

Q. Those are the two officers about whom you concurred with him in complaining of?—A. Yes, sir.

Q. Were they white men or black men?—A. White men; both of them were white men.

By Mr. LAPHAM:

Q. And they were removed and Democrats put in their places before this riot?—A. Yes, sir.

By Mr. VANCE:

Q. Were those all the officers they complained of—those two you mentioned?—A. Those were the only two that were mentioned. Then I heard another name mentioned, but I don't think at that particular time or at either of these conversations.

Q. But there was complaint generally of another name still?—A. Yes, sir.

By the CHAIRMAN:

Q. Well, name him.—A. Mr. Robinson; I think he had resigned, probably.

Q. What office had he held?—A. He was a magistrate also.

Q. He resigned also?—A. I think he resigned.

Q. Was he a Democrat or Republican?—A. I think he was a Democrat. That was my impression.

By Mr. VANCE:

Q. He was examined here, and he swore he was a Republican; perhaps you are mistaken?—A. Well, sir, I may be mistaken, but that is the first I ever heard of his being a Republican, and I have been living there a good many years as a well-known Republican.

The CHAIRMAN. I think he swore the last time he voted he said he voted Democratic. However, the record will show that.

By Mr. VANCE:

Q. Now I will ask you if there were not other grievances that the citizens had a right to complain of in connection with that city government?—A. As far as those I have mentioned are concerned, I think they had cause to complain, but I don't know of any other. I think it was really—it might have been a little partiality and prejudice on my part—but I thought that it was a better government than the preceding one; I thought it was a more liberal government, and they certainly set about and made alterations that resulted in benefit to the people, I thought.

J. W. SIMMONS (white) sworn and examined.

By the CHAIRMAN :

Question. Where do you live ?—Answer. I live in Floyd County.

Q. What part of Virginia is that in ?—A. It is in the sixth senatorial district. It is in Southwestern Virginia.

Q. How far from Danville ?—A. About 90 or a 100 miles from Danville.

Q. I will ask you whether the pamphlet that has been referred to by the witness before was circulated in your region before the election ?—A. Yes, sir.

Q. When did you see it first ?—A. It was circulated some little time before the election. I don't remember exactly when I first saw it.

Q. Within a week before, was it ?—A. I think so, about that.

Q. To what extent was it circulated in your region ?—A. To a considerable extent.

Q. Did you see many copies ?—A. I saw a good many copies.

Q. When did you first hear of the Danville riot ?—A. I first heard of the Danville riot on Monday, I think. I was absent on Sunday from the court-house and I got back Monday about 12 o'clock, I think, and I heard them talking about it.

Q. Was there any publication of it in your town paper ?—A. No, sir.

Q. Did you see any circular or handbill about it ?—A. I did not.

Q. Warrenton is in a different part of the State from where you live ?—A. Yes, sir.

Q. What was the effect of the Danville circular and the Danville riot upon the political feelings of your region ?—A. Well, sir, it had a bad effect in the lower end of our county, very bad.

Q. What do you mean by bad ?—A. Well, it worked against the success of our party in the county.

Q. Of the Coalition party ?—A. Yes, sir.

Q. Did it produce any excitement ?—A. No, sir; no particular excitement.

Q. What was the result upon the vote so far as you could gather. What is your judgment of the result upon the vote in your county ?—A. I think about 150 or 200.

Q. What effect had it in drawing the color line in politics in your county ?—A. Well, sir, I don't think it had much effect; there are not many colored people in our county.

Q. Then this 150 was a change among the white people ?—A. Yes, sir.

Q. Induced white people to go over ?—A. Yes, sir.

Q. What was the nature of the report from Danville; was it exaggerated or what was it ?—A. Well sir, I think it was; that the negroes were rising in Danville, and creating considerable carnage, &c. down down there.

Q. It was reported as a negro rising ?—A. Yes, sir.

Q. Was it understood how many white men were injured or killed, or did you hear any particulars ?—A. No, sir.

By Mr. VANCE :

Q. How far do you live from the railroad and telegraph office ?—A. About 22 miles.

Q. Well, the news got to your place on Monday ?—A. Yes, sir.

Q. Was it in the newspapers ?—A. No, sir; the paper is only issued once a week.

Q. But you take papers from other quarters?—A. I didn't see it on Monday in the newspapers.

Q. How did the news come first; just a rumor or telegram?—A. Rumor, I think, first, and then there were circulars printed in the county, at our printing office, and distributed; sent to the lower end of the county.

Q. Well, you say it did not have much effect on the race issue?—A. No great effect.

Q. But it did upon the white people?—A. Yes, sir.

Q. There was no unusual excitement, you say?—A. No, sir.

Q. There was no violence offered to anybody on the day of election, was there?—A. Not on the day of election.

Q. You think it had a bad effect?—A. Yes, sir.

Q. Well that depends upon who was looking at it, wouldn't it?—A. It had a bad effect on the lower end of the county, the circulars that were distributed.

Q. The Democrats did not think it had a bad effect did they?—A. I never heard them say whether they thought so or not.

Q. The Republicans thought that it had a bad effect?—A. Yes, sir.

By the CHAIRMAN:

Q. Was there a change of vote; that is, persons who would have voted the Coalition ticket voted the Democratic ticket in consequence?—A. Yes, sir.

Q. Was that upon the idea that the negroes had risen and were threatening the people of Danville?—A. Yes, sir.

By Mr. VANCE:

Q. That is a mere matter of opinion with you?—A. Yes, sir; that is the general opinion of the citizens.

By the CHAIRMAN:

Q. You say that there was no violence on the day of the election; was there any before?—A. Yes, sir; a few days before there was some violence in a portion of our county, which was said to be about politics.

Q. You don't know about that; you were not there?—A. No, sir.

Q. What was the nature of that violence?—A. Well, sir, there was a person went into a gentleman's field, and he shot him; slightly wounded him.

Q. You don't know anything about the cause of that?—A. No, sir; just a rumor that it was about politics.

By Mr. LAPHAM:

Q. Was he a colored man?—A. No, sir; a white man.

JOB HAWXHURST (white) affirmed and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Fairfax County.

Q. You live, then, near the city of Washington?—A. Yes, sir; about 20 miles.

Q. When did you first see the Danville circular?—A. The first one I saw was at a public meeting in Alexandria County on Friday previous to the election.

Q. How generally was it distributed in that region and among whom?—A. I am not able to say, because that is the only one I ever saw myself until long after the election, and then I couldn't get hold of one. At

last, with great difficulty, I finally succeeded through a colored man in getting a copy. Those are the only two I ever saw.

Q. What was the effect of the circular upon political matters in your county?—A. In my opinion it had an important effect upon the vote; that it changed votes to some extent.

Q. From the Readjuster candidate to the Democratic?—A. Yes, sir.

Q. The majority of your county, I suppose, are white people, are they not?—A. Yes, sir.

Q. Did it tend to produce a race issue?—A. Yes, sir; that was the excitement resulting from this circular; all this I learned, though, since the election.

Q. When did you first hear of the riot?—A. On Monday, the day before election. I had been absent from home and returned on Sunday. I was a candidate in this election.

Q. You were a candidate on the Readjuster ticket, were you?—A. Yes, sir; Coalition ticket.

Q. For what office?—A. State senator.

Q. You heard of it on Monday?—A. Yes, sir.

Q. What was the effect of the news from Danville?—A. I did not notice any particular effect at that time. There was all through the campaign a good deal of excitement; a great deal more than usual in our own election; a greater activity on both sides, remarkable on the side of the Democrats.

Q. What was the main object of the Democrats in the prosecution of their canvass, so far as you could gather?—A. Well, it was to defeat the Coalition party at all hazards.

Q. By creating the race issue in any way?—A. They relied upon that.

Q. Had that issue been made before?—A. Yes, sir; it used to be made against the Republican party, but it had died away to a considerable extent. The race issue was always an important thing.

Q. And it was pressed by the Democrats in that canvass?—A. Yes, sir; always against the Republican party, and now it was raised against the Coalition party, and with increased vigor and earnestness.

By Mr. VANCE:

Q. Do you count yourself with the Coalition or Readjuster party now?—A. I am with that party. I was Republican, and united with the Coalition.

Q. How long since was it that you ceased to be a straightout Republican?—A. I never ceased.

Q. Never ceased?—A. No, sir.

Q. Still a straightout Republican?—A. Certainly, sir; I don't belong to that faction of Republicans who assume that name in Virginia; I belong to the Coalition.

Q. You belong to the genuine old original Republican party, led by Mr. Mahone?—A. I am loyal to the Republican party, which decided to go into the Coalition by an overwhelming majority. Our party authorities decided that question for us. I did not go until the party did.

Q. Didn't you start out originally in opposition to the Readjusters on the debt question?—A. No, sir; I didn't unite with the Coalition upon the debt issue.

Q. Did not you support the funding bill of 1871?—A. Yes, sir; I was a member of the legislature in 1871 and voted for that funding bill, believing it to be right, with the lights then before us.

Q. But the lights changed afterwards?—A. Yes, sir; they changed

considerably. When all parties refused to make the necessary taxation to meet the requirements of that bill, readjustment became a necessity.

Q. About what period did you change?—A. I haven't changed, I think.

Q. On the debt question have you not?—A. No, sir; well I anticipate—if you call it a change—I anticipated the Funder party by a short period. They all support the Readjuster at present, I think; both sides.

Q. Now that short period is all the difference in the world. What time did you change; at what time did you anticipate the Funders?—

A. Our convention, I think, was held in Lynchburg in 1881, when it decided to support the nominations that had just been made by the Readjuster party, Governor Cameron and Lieutenant-Governor John F. Lewis; our party determined then to support that ticket, and I went with the Republican party.

Q. You yielded, then, in 1881?—A. To the party; yes, sir.

Q. What office do you hold now?—A. Postmaster.

Q. When were you appointed postmaster?—A. In August, 1865.

Q. And been postmaster ever since?—A. Yes, sir.

Q. What place; Fairfax Court-House?—A. Yes, sir.

Q. You were a candidate for the State senate in the last contest, were you not?—A. Yes, sir.

Q. Did you hear any canvassing by your political opponents—any speeches made by them?—A. Yes, sir.

Q. Who were your opponents?—A. Mr. Meredith, of Prince William.

Q. Did he make any speeches calculated to disturb the public peace?—A. I didn't hear any.

Q. Was the campaign conducted in any extraordinary manner?—A. On his part it was not; in a very gentlemanly manner.

Q. Was it so conducted on the part of anybody?—A. I cannot say that it was.

Q. Was the election quiet?—A. Election day was very quiet; yes, sir.

Q. Everybody voted who wanted to?—A. I think so, or had a right to vote.

Q. Did you have any help from the Administration in the late campaign?—A. No, sir.

Q. Did you have any public officers detailed to go down into Virginia to electioneer?—A. No, sir; I am not aware of any.

Q. Was there not a colored man employed in the Patent Office here who was sent down into Virginia to work for the party in your county?—A. There was a man by the name of Ludwell Gunnell, a resident of my county, who was out there a short time.

Q. He was employed in the Patent Office here, was he not?—A. In the Patent Office; yes, sir.

Q. How long was he down there at work?—A. He was down there ten days, but he did it at the sacrifice of his pay.

Q. How do you know that?—A. That is what he informs me, and I presume it to be the fact. I have no doubt of the fact; he had exhausted his leave.

Q. Did you ask for him to come down?—A. Yes, sir.

Q. You say the race issue was not a new thing in the last campaign; the Democrats or Conservatives used to make it on the Republicans, and then they made it again on the Readjusters?—A. Yes, sir.

Q. Do you know the fact that the color line is pretty well observed among the negroes themselves?—A. How do you mean by that?

Q. Do not they all stand together for the Republicans?—A. Pretty unanimous, I think; I don't think I ever saw a colored Democrat.

Q. Do you not know the fact that they are very severe on each other if they undertake to leave the Republican party and vote the Democratic ticket?—A. Well, they deprecate it.

Q. Do not they do more than deprecate it? Do not they ostracise each other?—A. I never knew it to be done.

Q. Have you not heard of such things?—A. Yes, sir; I have heard of it.

Q. And you say you do not know one?—A. No, sir; I never knew of any.

Q. Now, as a candid, fair man, when one race is voting unanimous against the whites, do you think it is anything unfair for the whites to ask their people to become unanimous against the blacks?—A. I think the people ought to divide on public issues, not on race.

Q. White and black?—A. Yes, sir.

Q. Well, when the blacks all unite, does not that tend naturally to make the whites all united?—A. Well, reverse it in the same way; I suppose the whites all unite against the blacks and the blacks unite against the whites.

Q. But the whites are not united against the blacks, are they?—A. Well, no.

Q. A large proportion of the Readjuster party are white men, are they not?—A. Yes, sir.

Q. And this was an appeal that the whites should unite because the blacks were united; that's what you call raising the race issue?—A. Yes, sir; because they were black.

Q. Now, do you think that is unfair?—A. I do.

Q. You think it is perfectly fair and proper for the blacks to unite against the whites?—A. I did not say so.

Q. Well, then, it meets your reprehension on both sides?—A. I say they ought to divide on other issues.

Q. In other words, they ought to vote according to judgment, and not according to color?—A. Yes, sir.

Q. You did not hear of the riot until Monday, you say?—A. No, sir.

Q. How did you get the news?—A. On Monday I heard them talking of it at the court-house.

Q. Did you see the newspapers?—A. I did not.

By the CHAIRMAN:

Q. You say that prior to 1881 you had been a Republican?—A. I don't think I sacrificed any of my Republicanism.

Q. I mean you were a Republican, just like the rest of us?—A. Yes, sir.

Q. And then you voted for the funding bill; you were a member of the legislature?—A. Yes, sir.

Q. And voted for the settlement of the public debt?—A. Yes, sir; in 1871.

Q. And then finding no party in Virginia willing to pass laws to carry that into execution, you then favored the readjusting, funding bill, as I understand you?—A. Yes, sir; that was the only thing that could be done.

Q. Well, you are of that opinion still, are you not?—A. Yes, sir.

Q. Has not the whole Democratic party in Virginia come to your opinion, too?—A. Yes, sir; of the same opinion.

Q. After that you still co-operated with the party, with General Mahone in connection with the Republicans and others?—A. Yes, sir.

Q. Now, I will ask you whether there has been an effort made by you and other Republicans—I would rather call you Republican, but say Coalitionist—to draw the race issue?—A. Never; we always tried to break the color line.

Q. Does not the race issue grow out of the profound feeling among the colored people that the Democratic party will not be just to them and give them their civil rights under the Constitution?—A. Well, the Democratic party has always denounced the amendments to the Constitution, or did at the time they were pending, giving negroes the rights of citizens.

Q. Is not it natural, then, and would not any race of men that ever lived naturally vote against those men who refused to recognize and grant them or give them any support of their equal rights?—A. I think it would be perfectly natural and proper.

Q. Is not the Democratic party in Virginia organized upon the basis of a general feeling of hostility to the exercise of equal rights by the colored people?—A. In the inception of this thing that was their cry; that was their principle; opposition to the participation of the negroes in the Government. For some years past they have not raised that question.

Q. Do you think it would be safe in any part of Virginia to organize the blacks to have free discussion, and free debate, and free speech to the same extent that it could be done among the whites?—A. Well, in my section of the country, I think it might.

Q. In Fairfax County?—A. Yes, sir. I cannot say as to other sections of the State.

Q. You are not sufficiently informed about that?—A. No, sir; but in my county there is a large white element—Northern people; they hold a good deal of property there, and are influential, and they can defend their views, I think, with perfect safety.

Q. You believe, I suppose, as every just man believes, that it would be better for both races if they could divide upon political issues?—A. Certainly.

Q. But would the Democratic party consent to such a division, in your judgment; have they ever consented to waive the race issue and divide upon other questions?—A. Not as a party they have not. The Readjuster portion of them has agreed to that; they have waived the race question, or race issue.

Q. The Readjuster party desired to; it was their interest to waive the race question and divide upon the debt question?—A. Yes, sir.

Q. Would the Democratic party, as it now exists in Virginia, agree to divide upon any question and abandon the race issue, in your judgment?—A. I could not say as to that.

Q. Well, your judgment of that?—A. I do not think they would. I think they regard the race issue as their sheet anchor.

By Mr. LAPHAM:

Q. Do not the Democrats, as a party, take the ground in your State that the State was coerced in the adoption of these constitutional amendments, and that they are not valid amendments?—A. I do not hear them in their public utterances make use of that. Early under the reconstruction laws they regarded that as coercion; the adoption of the amendments to the Constitution as a condition of their admission to the Union they considered coercion.

Q. Do they not claim that having been coerced into that by national authority that the amendments are not obligatory?—A. I have not heard any such claim as that for years past.

Q. That was the claim at the time?—A. At first; yes, sir.

Q. They likened it to a contract entered into under duress, did they not?—A. I thought so; I heard a member of the legislature say they adopted the Constitution to get rid of it.

By Mr. VANCE:

Q. You say you always tried to break the color line?—A. I would like to see parties divide, not upon the line of color, but other lines.

Q. How did you try to break that line?—A. I did not say that I have tried it.

Q. Well, you say you favor it?—A. I am a partisan; I am a member of the Republican party and desire the success of my party, and get all the votes I can for it.

Q. You told Mr. Sherman, just now, that you always tried to break the color line?—A. Did I say so? I did not.

Q. But you favor breaking the color line?—A. Yes, sir; I think so; I think the color line should be broken.

Q. Did you ever try to get the colored men to vote the Democratic ticket?—A. I did not.

Q. And you tried to break the color line by keeping the colored men in and getting white men to join them?—A. Yes, sir; I tried to get all the votes I could for my party.

Q. Mr. Sherman asked you if it was not perfectly natural for the black people to vote solidly against the party that refused to recognize their equal political rights?—A. Yes, sir.

Q. You said yes?—A. Yes; I did say so.

Q. Now, I ask you to point out where the Democratic party in Virginia have ever refused to recognize the political rights under the law of the colored people?—A. They opposed the reconstruction laws of Congress vehemently, and a candidate for member of Congress, Mr. Schackelford, said he made that issue, that this was a white man's Government, and upon that issue he went before the people.

Q. Now, until these reconstruction acts became law the colored people had not any rights, had they?—A. Not any political rights under the Government.

Q. Before the Constitution was adopted. Now, put your finger on the place where the Democrats have refused to recognize them since the Constitution was adopted?—A. Since the Constitutional amendments recognizing their civil rights I do not know of any act of theirs attempting to deprive them of their rights.

Q. Now, I will ask you if it is not constantly the habit of your party to instill into these black people the idea that if they vote the Democratic ticket they will be put back into slavery and their rights all be taken away from them?—A. No, sir.

Q. You say that is not the custom?—A. No, sir; not within my knowledge.

Q. You say that the Democrats never tried to get the black people to divide; is that so?—A. Yes; the Democrats tried to divide the colored people.

Q. I understood you to say a while ago that they never tried to get them to make this division?—A. You asked me if I had tried.

Q. I am speaking of what you said to Senator Sherman, that the Democrats had never tried to break the color line; that they tried to

keep it up?—A. Oh, they tried to get votes from the colored people for their party very earnestly.

Q. They have formed Democratic clubs all over the State among the colored people wherever they could find them?—A. I have heard of such clubs; never saw one.

Q. So it is not true that they are anxious to get the colored people to divide and vote their ticket?—A. Oh, yes; I think this; they make exertions always to get colored votes.

Q. Well, when they try to get colored votes you try to keep them from getting colored votes?—A. Certainly.

Q. So the Democratic party was trying to break this solid array, the race issue, and you Republicans oppose it?—A. They are trying to break up our party and we are trying to break up theirs.

Q. Exactly; well, one is just about as fair as the other, isn't?—A. I don't know as it is.

Q. Of course if a man gets beat he thinks the other party is not exactly fair; I have been in that fix and know how it is.—A. Oh, I am often beat; I am used to it.

Q. Yes; but according to the way our politics run here in this country, with all these efforts to get votes, and circulation of rumors and exaggerated appeals on one side or the other, one is as guilty as much as the other, isn't it?—A. Where I think the unfairness comes in is the effort to consolidate the white race upon a race issue while they endeavor to divide the colored people.

Q. Exactly; the sin of the Democratic party is in endeavoring to follow the example of the Republican?—A. Consolidate the race issue and at the same time seek the colored votes.

By Mr. LAPHAM:

Q. What do you think was the object of the capitation tax?—A. I think the object was to deprive the colored people of votes.

Q. That was a Democratic measure, was it not?—A. Yes, sir; but it does not appear upon the face of the statute, of course.

Q. But there can be no doubt what its purpose was?—A. I have no doubt about it.

Q. Well, it is generally considered so among the people of Virginia, is it not?—A. Generally among the people of Virginia.

Q. As a blow aimed at the suffrage of the colored people?—A. I think so.

Q. Last fall was the first time the colored people could vote without paying that tax?—A. Yes, sir; since the law was enacted.

Q. It was repealed so they could vote, was it?—A. Yes, sir.

Q. Now was the race issue ever drawn so distinctly and determinedly in your State as it was last fall?—A. I never knew it to be so earnestly urged before.

By Mr. VANCE:

Q. Did not the colored people nearly all vote for that law to impose that capitation tax? A. No, sir; they voted against it.

Q. How many of them?—A. About all of them I think. I don't think many of them voted for it.

Q. I ask you whether there was not less than ten thousand votes all together cast against that amendment in the State?—A. I don't recollect the vote; the amendment was carried by a large majority.

Q. Don't you recollect it was a very small vote against it?—A. It varied in sections, in some sections the Democratic vote was unani-

mously against the amendment and in other sections they voted generally for it.

Q. Now about the Republican vote?—A. The Republicans all voted for the amendment removing the restriction.

Q. I am talking about the amendment imposing it?—A. That was passed by a strict party vote.

Q. What would have been the amount of the Republican vote against it if it was a strict party vote?—A. Well the Republicans poll 80,000 votes in the State of Virginia.

Q. Now I ask you if the vote was not less than 10,000?—A. Without having the figures I should think that was impossible.

Q. Did not you vote for it?—A. For the amendment to the constitution?

Q. Imposing this capitation tax?—A. I voted against it; wrote articles in the papers against it, and opposed it in every way I could.

Q. Did not a great many men who were prominent Readjusters in the legislature vote for it when it was submitted?—A. I don't know about that.

Q. How was the vote last fall; didn't the Coalitionists get more than they ever got before in the State?—A. They got 127,000, which is about as much as they ever got.

Q. Is it not much larger?—A. No, sir; I don't know about that.

Q. Isn't it 17,000 more than they ever got in the State?—A. I cannot say.

Q. Don't you know how many Mr. Wise got the year before?—A. Cameron was the largest vote, I believe.

Q. How many did Cameron get?—A. I don't remember.

Q. Didn't he get 111,000?—A. I don't recollect the vote of the State.

Q. Well, I reckon you ought to recollect generally the vote that your party got in the last election was much larger than any ever received before?—A. I could not state that.

Mr. LAPHAM. We have got all that from Mr. Wise; there can be no controversy about that.

Mr. VANCE. I know that.

C. L. PRITCHARD (white) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. Warren County, Virginia.

Q. How far from Danville?—A. Between 225 and 240 miles, in the Shenandoah valley.

Q. In Southwestern Virginia, then?—A. Yes, sir; it is in the eighth Congressional district.

Q. When did you first hear of the Danville massacre?—A. On the afternoon of Sunday, the 4th of November, the first news I had of it.

Q. In the afternoon of Sunday?—A. Yes, sir.

Q. In what form did it come to you?—A. It came to me—I saw persons talking about it on the street; rumor on the street.

Q. When did you see it in print?—A. Monday morning about 10 o'clock.

Q. How was it circulated then?—A. It was circulated by an extra edition of the Alexandria Gazette.

Q. How generally was that distributed?—A. Very generally.

Q. Have you a copy of that?—A. I have not.

Q. Can you get a copy of that?—A. I don't know as I can.

Q. Can you state the general substance of it; I would rather have a

copy of the paper itself?—A. Well, I could have got a copy, in fact I had a copy but misplaced it somehow.

Q. What was the general purport of it?—A. That there had been a riot in Danville, that there were, I think, seven negroes killed and three white men; one of the white men, one of the most respectable citizens of Danville, Mr. Holland, a young man, now wounded, probably would die; I think that was it.

Q. Well, who was the aggressor according to this statement?—A. The Coalitionists.

Q. I wish you would try to get me a copy of that paper if you please and send it to me before the matter is ended?—A. I will endeavor to do so if I can possibly secure one.

Q. How were they distributed throughout the county?—A. The Shenandoah Valley Railroad in the upper end of the county, and they were distributed throughout it at Bentonville Station in the Shenandoah valley; that is in the extreme upper end of the county, and there they were distributed by different parties who handed them to every one who came to the station. At Front Royal, I don't know how they were received, but they were handed round the streets.

Q. Were they distributed by runners through the county on horse-back?—A. They were; different portions of the county.

Q. Had you seen the Danville circular?—A. I had.

Q. Before that?—A. Previous to the riot; yes, sir.

Q. How was that distributed?—A. I don't know. I think it was only distributed through the mails and by the county canvassers.

Q. What was the effect of the Danville circular and this account of the Danville massacre or riot?—A. The Danville riot had the effect of arousing the people of my county. I mean by that, it had the effect of stimulating the Democratic party in that county and bringing out a much larger vote than it otherwise would have done. They got out an exceedingly large vote, and it had the effect on our Coalition party of intimidating some to vote the Democratic ticket on account of the race issue. They thought that the negroes, perhaps, were going to rise in the State; and, of course, by persuasion of their Democratic friends, many of them voted the Democratic ticket.

Q. They thought if there was to be a fight between the races, they would rather be on the side of the white race, naturally?—A. Yes, sir; naturally.

Q. Then the idea prevailing of this account, and by the circular as well, was that the negroes were rising in Danville, and were aggressive?—A. That was so understood, I believe.

Q. And it had the effect, then, of raising the race issue, and the Coalitionists lost. How much do you suppose they lost?—A. In our county of Warren it is largely Democratic. We poll a small vote in the county—some 350, I suppose, altogether, opposition to the Democrats—262, I believe.

Q. (Handing witness a paper entitled The True Index.) I will ask you if you ever saw that circular?—A. Well, this extra edition was not in circulation in my part of the county. It was a supplement to the Stanton Spectator that I saw there more generally than this, but the sum and substance, I suppose, was about the same.

Mr. VANCE. You do not propose to put that paper in evidence, do you?

The CHAIRMAN. I do not propose to unless I prove the witness saw it. [To witness.] I will trouble you, if you please, to get me the paper that was circulated there.

Q. I will ask you if the race issue had ever been drawn before in the same way it was drawn this time?—A. No; I think not.

By Mr. VANCE:

Q. Warren is a large Democratic county, isn't it?—A. I believe it is the largest in the State.

Q. What is the vote, did you say, that your party usually polled there, 350?—A. We have not polled more than about 300, I think, or less than that.

Q. How many did you poll in the last election?—A. Two hundred and sixty-two, I believe.

Q. There was a falling off then of about 40 votes?—A. Yes, sir; but we would have polled a much larger vote than that previous to this election had it not been for this capitation-tax restriction. I mean we would have polled a larger vote this time than we did at the previous election. The capitation-tax restriction was then in operation, and many of the voters there who would have voted our ticket were not qualified.

Q. How many colored voters are there in the county?—A. I don't know the exact number in the county.

Q. Give us an idea; we, of course, don't ask you for exactness.—A. About 200, I reckon. There are only about 150 in the county.

Q. The capitation-tax was generally paid by some of you who had the money before that, wasn't it, to enable them to vote?—A. No, sir; it was not generally done.

Q. Now, suppose there were 150 colored people who were able to vote out of that number; how many do you suppose could not pay their capitation-tax?—A. I suppose about one-half.

Q. That would leave about 75. Now, wasn't there that number of poor white men unable to pay their capitation-tax?—A. Perhaps there were; I don't know.

Q. What I mean is, did not the white folks gain about as much by removing the capitation-tax as a prerequisite to voting as the black folks did in your county?—A. No, sir; I think not.

Q. You don't think they gained quite as much?—A. No, sir; not quite as much.

Q. What is the total white vote of that county?—A. The total white vote of that county is about between eleven and twelve hundred; about eleven hundred, I reckon.

By the CHAIRMAN:

Q. Majority of about 500?—A. Yes, sir; between five and six hundred.

By Mr. VANCE:

Q. What is the county town of Warren County?—A. Front Royal.

Q. That is right on the railroad, isn't it?—A. Yes, sir; it is immediately on the Virginia Midland, and about a mile from the Shenandoah Valley depôts.

Q. Well, of course you have telegraph communication there?—A. Oh, yes.

Q. Well, there is nothing unusual in the news getting there Sunday by telegraph?—A. Oh, I think not.

Q. And you say on Monday it was circulated in the supplement to the papers?—A. Yes, sir; at least I saw it in print.

EDWARD LEWIS (colored), sworn and examined.

By the CHAIRMAN :

Question. Where do you live?—Answer. I live just below Chalk Level a few miles.

Q. How far is that from Danville?—A. It is 30 or 35 miles.

Q. What county is it in?—A. Pittsylvania County.

Q. Were you present on the 30th of October when Mr. Jesse Keen spoke at a meeting?—A. Yes, sir.

Q. Was that a Democratic meeting?—A. No, sir.

Q. What kind of a meeting was it?—A. It was a meeting of the Coalition party there.

Q. What are the politics of Mr. Keen?—A. Well, Mr. Pleasants and Mr. Jones were appointed there to speak on the 30th of October at Chalk Level, and that evening they were there and proceeded to speak, and after the speaking commenced Mr. Keen got to cussing around, abusing them generally. I had always been appointed the chairman of that precinct by the people, and some of them said to me they were going to be disturbed in the meeting, and I said, "Gentlemen, we did not disturb you in your meeting, paid strict attention, did not disturb you any, and we would like to be treated as we did you;" and Mr. Keen just went on cussing, and swore generally around; said we had no right to speak at public places and collect as we did and so on, and cussed the speakers and all of us generally. There were forty or fifty colored people there I reckon, and about half a dozen or more whites.

Q. Just tell us what he said.—A. He said the colored men, if they did not rally to the polls and vote with the Democratic party, that we would be shot down like dogs, and drove off as the Indians were. That is the remark he made there publicly; both white and colored heard him say so.

Q. What did he say, if anything, about the Democrats carrying the election?—A. He said there was a threat made in Danville that they would carry the election by ballots or balls. That was the expression he made there.

Q. Who is Mr. Keen; what is his position?—A. He was a farmer at that time.

Q. Was he a Democrat?—A. I suppose he was.

Q. How long was this before the Danville riot?—A. I think it was a few days; that was on the 30th that that took place at Chalk Level—the day that he made these remarks.

Q. The 30th of October?—A. Yes, sir.

Q. Was that the week before or the same week as the riot?—A. The riot was a few days after; I disremember how many days.

Q. What did he say about the streets of Danville?—A. He didn't say any more than just made an objection to the speaking and the crowd; said there was some threats made that they would rule the election by ballot or by balls in Danville; those are the remarks he made.

Q. He didn't say anything then about the streets running with blood; what do you say about that?—A. I don't know that he said anything particular about that. He said they would rule by ballot or ball I well recollect; the crowd heard him say that.

Q. What effect had these threats and the Danville riot upon the election?—A. I don't know that it had so much effect; there was a tolerable good turn out at election day; the people voted very promptly; it might have had some effect.

Q. You were how many miles from Danville?—A. I live about 30 miles from Danville.

By Mr. VANCE :

Q. Is that in Pittsylvania County?—A. Yes, sir.

Q. Chalk Level?—A. Yes, sir; 30 miles from Danville.

Q. Who is Mr. Keen?—A. Mr. Jesse Keen.

Q. What position did he hold; what office was he running for, if any?—A. None at all, that I know of.

Q. Just a private citizen?—A. Yes, I suppose he was.

Q. And he just "cussed" you all out?—A. Yes, sir.

Q. Did he have any power of attorney from the Democratic party to "cuss" you out that you know of?—A. I don't know whether he did or not.

Q. You don't know whether he was authorized to do it or not, or just did it on his own account?—A. No, sir; I don't know.

Q. That was not on the day of the election, was it?—A. No, sir; that was on the 30th of October.

Q. What kind of a time did you have on the day of the election?—A. Everything was quiet. I didn't hear anything disagreeable at all on the day of election; everything moved off quietly.

Q. The usual vote polled on both sides?—A. Yes, sir; there was a very good vote out that day on both sides, and everything passed off quietly.

Q. Nobody kept from voting that wanted to?—A. I didn't see any, sir.

H. H. PERROW (white), sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Campbell County, Virginia.

Q. How far is that from Danville?—A. About 65 miles.

Q. What direction?—A. North of Danville.

Q. Lynchburg is the county-seat, isn't it?—A. Yes, sir.

Q. I will ask you whether you know about the circulation of the Danville circular, as it is called?—A. Yes, sir.

Q. To what extent was it distributed in your county?—A. It was distributed all over the county—the part that I was in. It was distributed the day before the election—Monday it got to us.

Q. Distributed all over your county?—A. All over that part of the county.

Q. In what numbers; how generally?—A. Well, most everybody had some.

Q. What was the tendency of that circular?—A. As well as I recollect the circular was an appeal to the people in Southwestern Virginia, if I am not mistaken.

Q. I don't ask you about the contents—we have the circular—but what was the effect in dividing the people on the color line?—A. Well, in the time that they carried the circulars around, they explained to the people that the colored people in Danville—there was a fuss there—and the colored people were disposed to murder the white people; that there had been a fuss and several white people murdered, and maybe one or two colored.

Q. I am speaking of what is called the Danville circular, signed by citizens of Danville, called "Coalition rule in Danville," that is the circular of which I speak [Handing circular to witness]. I don't mean the

account now of the riot, I mean the Danville circular.—A. (Examining circular.) I don't think I saw this when I saw an account of the riot.

Q. It is an account of the riot of which you were speaking.—A. Yes, sir.

Q. [Handing witness paper.] Is that the nature of the account that you saw?—A. Yes, sir; that's about it.

Q. That was the account that was generally distributed?—A. Yes, sir.

[The True Index.—Extra.—Warrenton, Va., November 5, 1883.]

RIOT IN DANVILLE.—ONE WHITE MAN MORTALLY AND SEVERAL SLIGHTLY WOUNDED.—FIVE NEGROES KILLED, NUMBER OF WOUNDED UNKNOWN.—ALL QUIET AT LAST REPORT.

DANVILLE, VA., *November 3.*

A fight took place on the streets here this evening about 3 o'clock, in which Walters Holland, son of C. G. Holland, was wounded—it is supposed mortally—by a bullet in the head; Thomas Seward, of Rains & Seward, shot through the body; Richard Valentine through the hand, and the clothing of Capt. Joel H. Oliver was pierced by a bullet. On the part of the negroes five men were killed. One girl had a leg broken by a bullet, and a man was shot through the leg. It is supposed that others were wounded dangerously.

HOW THE TROUBLE COMMENCED.

The immediate cause of the fight was a difficulty between Mr. Charles Noel and a negro named Horse Lawson. A negro man ran against Mr. Noel on the street near by where Lawson was standing. Noel called him to explain his rudeness, and he apologized. Just then Lawson reprimanded the man for apologizing, and added, "What's he got to do about it? What can he do?" Noel then turned and gave Lawson some blows with his fist, and they were separated, although the whites and blacks on the streets showed a disposition to take sides.

A NEGRO POLICEMAN INTERFERES.

A negro policeman stepped up with his pistol during the beating of Lawson, and a white man, thinking from his movements that he was going to shoot Noel, ordered him to lay his pistol down, and he did so. A negro in the crowd near by where the conflict between Noel and Lawson was going on, knocked a pistol out of the hand of a white man and it exploded. In the meantime the Democrats of the city were holding a meeting in the theater about the articles in the Richmond Whig concerning the circular styled "Coalition rule in Danville," and a speech made last night to the colored people by W. E. Sims. They heard there was a conflict on the streets, and came rushing down where the parties had gathered in a crowd near one of the stores. The negroes to the number of two hundred and fifty, this being Saturday evening, formed in a crowd near by.

CURSING THE WHITES.

Pistols were drawn by some on both sides, and some of the negroes, approaching the whites, called out, "Shoot, damn you. We had as well settle this now as any other time." Just then the order to fire was given by somebody in the crowd. The firing commenced on both sides, and the streets were quickly cleared, the negroes running off in several directions, and some firing as they retired. The negro who shot Walters Holland ran off and escaped in the confusion that ensued, and no arrests made. All the stores were immediately closed, and the people were going about with weapons in their hands.

THE ALARM-BELL RUNG.

The alarm-bell was rung, the Grays mustered under arms, and their sergeant (Wood) commanded the people in the name of the Commonwealth to go to their homes. Some said in a loud tone, "We will," and all went but the Grays and some accepted volunteers. The Grays, under orders of Mayor Johnston, are on duty on the streets, and a number of volunteers with them—some mounted. Everything now (9.30) is quiet. The reporter in walking from one end of town to the other met only two persons. The negroes here held big meetings several times recently, and have been addressed by several of their orators. An address was made here to them last night by W. E. Sims, which the whites understood to be very denunciatory. The South-Boston affair has also made impression here. It was plain this morning that there was trouble near by, and prudent men were apprehensive.

MASS MEETING OF DANVILLE CITIZENS.—TRUTH OF CIRCULAR AFFIRMED.—SIMS'S SPEECH INCENDIARY.

[Special to the Richmond Dispatch from Danville, Va., November 3, 1883.]

At a large meeting of the citizens of Danville held this afternoon at 3 o'clock the following resolutions were unanimously adopted:

1. *Resolved*, That we, the undersigned residents of the town of Danville, in mass meeting assembled, have examined the circular entitled "Coalition rule in Danville, Va.," and signed by our fellow-citizens, W. T. Clark and others, and we certify that it contains a substantially true statement of the condition of things in town for the last eighteen months, the assertion of the Richmond Whig and our Coalition judge and mayor to the contrary notwithstanding.

2. *Resolved*; As law-abiding citizens we denounce the speech of W. E. Sims made in this city last night to a large crowd of negroes in Danville, in which many of our best citizens were abused without stint, as the most incendiary and inflammatory harrangue ever delivered in a civilized community, as calculated and believed to have been intended to incite riot and bloodshed. At the same time the forbearance of our good citizens, who have thus far restrained their indignation, is an evidence of desire to preserve the peace in this crisis, if it can be reasonably done.

The committee that prepared it are some of the best men in the city. The signers to it, so far from being "the most insolent, most lawless people" of the city, are men in the most peaceable and most closely identified with the best interests of the city. They are warehousemen, dry-goods merchants, grocers, carpenters, house builders, tobacconists, foundrymen, real estate and insurance agents, tanners, cotton manufacturers. It is reported that this circular has had a wonderful effect in rousing the people amongst whom it has been distributed.

NOTE FROM MR. C. G. HOLLAND.

[Special Dispatch to the Alex. Gazette.]

DANVILLE, VA., November 4, 1883.—My son is dangerously wounded, but rests quietly now; and we hope for the best. We have our town well guarded though much feeling exists among our citizens. Hope we will have no further trouble.

C. G. HOLLAND.

WHITE MEN OF FAUQUIER.

You have no time on the eve of election to follow the example of Virginia cities by assembling en masse and passing resolutions. But you have time to express your sympathy to-morrow, Tuesday, the 6th inst., at the polls, by voting for Cols. Stribling and Smith. Keep cool, and do nothing to vitiate the election at a single precinct. Guard against "tissue strikers" circulated by the enemy to be glued to the backs of genuine ballots to throw them out in the count. See that there is "a free ballot and fair count." Give full protection where it is requested.

AN INFAMOUS LIE.

I was told this morning by Mr. Olinger, of Liberty, Lower Fauquier, that certain Coalitionists have circulated in his neighborhood that I voted as school trustee for a change of school books and then denounced the change as editor in order to make political capital. The man or men who started this report lied deliberately, willfully. I spoke and voted against the outrage as trustee, and have continued consistently and persistently to denounce change in the Index.

L. W. CALDWELL.

Q. What was the effect of the news and distribution?—A. No doubt it changed a good many white people from voting the way they would have voted—the Coalition ticket—a good many of them.

Q. What were they made to believe by this?—A. They were made to believe and told that the colored people were trying to overrule the white people in Danville. It was referred to as the Danville row generally, and showed the disposition.

Q. The disposition of the negro, by force, to overcome the white people?—A. Yes, sir.

Q. What was the result?—A. They said there was only two tickets—white men and negroes—and a white man was no better than a negro in the Coalition party.

Q. What was the effect on the vote in your county?—A. It must have changed a heap of them; it must have changed five or six hundred people in the county—the county and Lynchburg together; it must have changed 800.

Q. Lynchburg is a large city, the second town in Virginia, is it not?—A. Very large town; 16,000 or 17,000—a little over.

By Mr. VANCE:

Q. What did you say that the Democrats said about the negro party?—A. They said there was a negro and white man's party—they were the only two; the white men ought to stand by the white man's party—something like that.

Q. You think that changed some 500 or 600 votes in that county?—A. Yes, sir. A white man who voted with the Coalition party was no better than a black man.

Q. Do you recollect how the vote was in your county?—A. How large a majority was against the coalition?

Q. No; the strength of the respective parties?—A. Well, the vote was about 3,000 in the county when the whole vote is polled.

Q. I know; ordinarily what is the vote of the Coalition party in that county, what is the strength of it?—A. I think the Coalition votes about fourteen or fifteen hundred.

Q. How much was it this last year?—A. It was not so large. I think there was about 1,200 or 1,300 in the county. I don't know certain about that.

Q. How much did it ever poll?—A. That would be two or three hundred.

Q. I will ask you if your party did not poll more votes at the last election than it ever had done before in that county?—A. They polled as many as they ever polled, I reckon.

Q. What became, then, of the 500 votes you lost?—A. The party would have got a larger vote than it ever got in the county.

Q. At least, you think so?—A. I think so.

Q. Do you know what the Democratic majority in the county was this last election?—A. The county and Lynchburg together, about a thousand, I think.

Q. Wasn't Major Daniel's majority that large?—A. Major Daniel's majority was more than that.

Q. So your party then pulled up a little—made a gain in that county?—A. Sometimes they went up and sometimes back.

Q. Were any of them kept away from the polls by the news of the Danville riot?—A. Not that I know of; nobody in our part of the county or precinct there.

Q. Do you know of any violence to any man who wanted to vote, or anything of that sort?—A. No, sir.

Q. You think the effect of it was to intensify the feeling of the white people and make them stand together more than they would have done?—A. Yes, sir.

Q. Is that unfair?—A. I don't know so well about that.

Q. The white people, then, were not nearly as much united as the black people, were they?—A. Yes, sir; they were more united, or as much. A good many black people voted the Democratic ticket in our county; a good many, I don't remember the exact number.

Q. Are there not more white people who vote the Coalition ticket than there are black people who vote the Democratic ticket?—A. I reckon it is about equally divided.

Q. Then one party was not making anything more by the color line than the other?—A. I don't know that they did. I don't know that they made any more; I know that they tried to make more.

J. B. STOVALL (white) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. Halifax County.

Q. How far is that from Danville?—A. It is the adjoining county in which the city of Danville is situated.

Q. When did you first hear of the riot at Danville?—A. I heard of it on Monday; I heard an indefinite rumor on Sunday.

Q. When did you first see a handbill in respect to it—a printed slip?—A. A handbill giving an account of the riot? I couldn't tell exactly; I don't remember whether I saw it Monday. I remember seeing it, and intended getting out a circular in answer—something similar.

Q. Well, it is not material about the hour of the day—you saw it on Monday?—A. Yes, sir; I saw it on Monday, and there were wild rumors scattered all over the county on Sunday and Monday.

Q. What was the general purport of the rumors?—A. The general purport, the general representation was that the colored people and white people in Danville had had a fight, and a number killed on both sides—no way of determining the exact number of killed on either side. That was what was told in Halifax County.

Q. Who were represented as the aggressors?—A. Why the colored people, of course.

Q. What was the effect of these rumors and circular upon the vote?—A. The effect was to draw almost every white Readjuster in the county to the support of the Democratic ticket.

Q. On what issue?—A. On the color line.

Q. The white Readjusters, believing that the color line was drawn, voted the Democratic ticket?—A. Yes, sir; I don't believe that we got 25 white votes in the county of Halifax.

Q. Did you ever see the Danville circular, signed by citizen of Danville, in regard to their local affairs?—A. Yes, sir.

Q. When was that circulated in your county?—A. Now, I was thinking about that when I spoke of the other, but I had this in mind, that an account of a fuss in Halifax County, an exaggerated account of that, was scattered over the county—to what extent, of course, I cannot say.

Q. (Handing circular to witness.) This is a paper headed, "Coalition rule in Danville"?—A. Yes, sir; that was the one I was speaking of preparing an answer to circulate in Halifax County.

Q. Did you see the printed slip headed, "Read the proof," containing the affidavit of the parties who signed the circular; the Ruffin circular, as it is called?—A. No, sir; I don't think I saw that.

Q. The "Coalition rule in Danville" circular is the one you saw?—A. Yes, sir.

Q. You say the effect was to draw the color line, and the Coalitionists lost nearly every white Readjuster?—A. Yes, sir.

Q. What was it you said about all the white Readjusters?—A. Well, we have not a great many white Readjusters. The only way of determining it is by the last Presidential election, in which the Hancock and English electors received 268 white votes, all the Republicans voting the regular Republican electoral ticket. That is the only way we have of getting at the number of white Readjusters in the county. That made 268;

and I don't believe we received 25 white votes in the county of Halifax at the last election.

Q. That, you say, was because of these circulars?—A. Yes, sir; and the color line being drawn all through the canvass. Their speakers in the county made that issue and that issue alone—ignoring all issues in the canvass except the color line.

Q. I will ask you if the color line had ever been drawn in this way before?—A. No, sir; of course, to some extent, but there was never that bitterness of feeling that there was in the last election.

By Mr. VANCE:

Q. How many votes did you say the Hancock Readjuster ticket got?—A. 268.

Q. They professed to be Democrats, didn't they?—A. They professed to be Readjusters.

Q. Did they not profess to be Democrats?—A. I can only judge by their voting the Democratic electoral ticket; they never have claimed to be Democrats.

Q. They never claimed it?—A. Readjuster.

Q. Never have?—A. I do not so understand it that they ever claimed to be Democrats.

Q. Did not they claim to put out the electoral ticket for the Democracy?—A. I say that is the only ground I have for thinking that they were Democrats.

Q. Did they not claim it all the time, everywhere, that they were Democrats on everything except the debt question?—A. No, sir; I do not so understand it; I do not understand that Mahone was elected to the Senate on that; he was elected by a combination of Readjusters, Democrats, and Republicans.

Q. Did not Mahone, when he made his first speech, declare that he was a better Democrat than Senator Hill, of Georgia?—A. I so understand.

Q. I ask you if it is not a fact that the Readjuster party claimed all the time, until right lately, to be Democrats?—A. Yes, sir; I suppose some of them have, and I suppose some of them have not. Their course is the best evidence of that fact.

Q. You recollect that canvass, don't you, between Hancock and Garfield?—A. Yes, sir.

Q. Do you not know that the Readjusters claimed that their ticket was the true Democratic ticket of Virginia?—A. I know that there was an effort made to have an Independent ticket, neither for the Republican nor the Democratic electors.

Q. You don't answer my question.—A. Yes, sir; I am answering it by telling you the situation of affairs there.

Mr. LAPHAM. Pardon the suggestion, how does that line of inquiry explain anything?

Mr. VANCE. Well, it is in reply to the allegation that his party lost a great many votes on account of these Danville deeds that they otherwise would have gotten.

Mr. LAPHAM. Very well; if you regard it in that light, go on.

By Mr. VANCE:

Q. I will ask you if all the electors on the Hancock electoral ticket did not claim that they were the genuine, Simon-pure Democracy, and if they did not appeal to the National Executive Committee to say that?—A. I think the records show that.

Q. Now what authority have you for saying that these 260 men in that county who voted for the Hancock Readjuster electoral ticket would have voted the Republican Readjuster ticket this last election?—

A. Because if they had been straight-out Democrats, they would have voted the straight-out Democratic electoral ticket.

Q. That is not the question I ask you; what authority have you for saying that last fall they would have voted the Readjuster ticket?—A. I say it for this, that these 260 men voted for the Readjuster electoral ticket, and not for the Democratic electoral ticket; I say that is the reason, and that is the only way I have of classing these men, and from that I draw my conclusion that these 260 men were Readjusters—would have cast their vote ordinarily for the Readjuster candidate.

Q. After the Readjusters had affiliated with the Republican party you think they would still have stuck up to them?—A. I think so, if they had not drawn this color line.

Q. I will ask you if all over the State, as it was seen that the Readjuster party was gravitating into the Republican ranks, the Democrats didn't drop off from it greatly all over the State?—A. I cannot tell as to that; I cannot tell whether they would have voted the Republican ticket or not; the issue has never been made, and I can't say what ticket they would have voted. I can give you my own opinion in the matter.

Q. Now, the number of votes that you lost in Halifax County by this drawing of the color line is merely in your opinion, is it not? You did not see every voter to learn what his reasons were?—A. Certainly not; I can only tell from this way: In the canvass before that, in which Hon. John S. Wise and Hon. John E. Massey were candidates for Congressman-at-large, John S. Wise received in the county 534 majority over John E. Massey. In the fall following election, which was the election of which we are now speaking, the county went on an average 300 the other way. Now there must have been a good deal of change, a good deal of ballot-box stuffing, or both, and I almost think it was both.

Q. Well, the ballot-box stuffing, if there was any, was, I suppose, all done by the Democrats?—A. They have generally been doing it.

Q. Were you formerly a Democrat?—A. No, sir; I never was.

Q. Well, how did you get so well acquainted with the habits of the animal?—A. By being a candidate for office and by being cheated out of my election.

Q. Well, it does make a man feel bad to be beaten, it is true.—A. In such a way as that, it certainly does. I don't mind it so badly when it is done honestly.

By the CHAIRMAN:

Q. Was the word you used "cheated" or "beaten"?—A. "Cheated"; beaten by being cheated.

By Mr. VANCE:

Q. Halifax was formerly a Readjuster county, wasn't it?—A. Yes, sir.

Q. The county officers were Readjusters, were they not?—A. No, sir.

Q. How did that happen?—A. Because the Republicans always elected Democrats to office. There never was but one election when the party lines were drawn.

Q. That was before the marriage ceremony had been solemnized between the Readjusters and Republicans?—A. Yes, sir; the Republicans generally carried it by 400 or 500 majority, without the aid of the Readjusters.

Q. Who appointed the judges of election in that county?—A. A *quasi* Readjuster.

Q. Who is he?—A. Judge Armestead.

Q. He's "*quasi*," is he?—A. Yes, sir.

Q. Well, you have a suspicion of everybody?—A. No, sir; I have no suspicion of anybody.

Q. Provided you get beat, you have a suspicion of all?—A. No, sir; I just judge by their acts; don't suspicion anybody.

Q. That judge was elected by a Readjuster legislature, wasn't he?—A. When a Readjuster judge appoints two Democrats and a colored man who cannot read, of course I draw my own conclusions.

Q. The Republican party was responsible, though, for putting an uneducated and illiterate colored man in such a responsible position, were they not?—A. No, sir.

Q. How many precincts did the judge fix up that way?—A. I don't know. There are twenty-four precincts in the county. I had only one in my mind when I said that.

Q. As far as you know now, the other twenty-three were fixed up as they ought to have been with Readjusters instead of Democrats?—A. No, sir; I don't know as they were.

Q. That is the way to preserve the purity of election.—A. I know this. I know that if he had appointed one man from each political party, as the law requires, the result would have been very different, in my opinion.

Q. Do you say the judge did not so appoint them?—A. I will tell you exactly the course if you desire me to give it.

Q. Well, say how he did with all of them.—A. I will tell you exactly how it was; in the last spring election a number of the judges failed to act as judges of election, some because they were candidates for a town office and for other reasons. At this fall election we applied to the judge to have judges appointed at these places. He said he would do so if a correct and proper list was furnished. We furnished that list of judges of election, and carried it to his house in vacation. He sent the paper to the Halifax court-house by one of our party leaders, a man who went there to attend to this, and in the mean time he sent to the clerk's office at Halifax court-house and told the clerk not to have that order entered at all, and the consequence was there were no judges of election appointed for these places at all, but they arranged them on the morning of the election.

Q. Now, who fixed up those lists that were sent to the judge?—A. The lists that I have just spoken of?

Q. Yes, sir.—A. Some of our friends.

Q. How were those lists arranged with regard to their politics?—A. We gave them one Readjuster, one Republican, and one Democrat, as the law required.

Q. As the Republicans and Readjusters were all the same, that was a fair division, was it not?—A. I think so, especially in a county like Halifax, where you have to have two to watch one Democrat, and then they get the best of it.

Q. Well, the judge kicked at that?—A. No, sir; he didn't kick at all.

Q. Well, he would not appoint them?—A. He said he would appoint them, but in the mean time sent to the clerk and instructed the clerk not to issue the appointments.

Q. And then the appointments were made on the day of election, temporarily, as best they could?—A. Yes, sir; generally, I suppose, two Democrats and one Republican.

Q. Well, that was two-thirds right. How did the election result; how many votes did you poll in Halifax County on that occasion short of your usual strength?—A. We didn't poll any short of our usual strength.

Q. How many did you get there?—A. There was a larger vote polled on both sides, I suppose, than was ever polled before.

Q. Then you did not lose anything, did you?—A. No, sir; except by the count.

Q. How much did you lose by the count?—A. There is no way of telling.

Q. Now it is tolerably unsafe for you to assert on oath that you did lose anything?—A. I am not asserting on oath the exact number. I am giving my opinion, and giving the sworn testimony of men who were at the election. I will explain it, and you will understand it. At one precinct alone there were 82 ballots more in the box than there were votes cast that day.

Q. They were not counted, were they?—A. I don't know how they were counted. This Republican judge of election swore that the Democrats made up the count to suit themselves.

Q. Were they not extracted from the box, according to law, by blind-folding a man?—A. No, sir; he says not.

Q. What do other people say?—A. I don't know what other people say.

Q. Those who were present, I mean.—A. I don't know what they say. Of course, I suppose they say they were fairly counted; that is what they generally say.

Q. Well, the Danville riot, if it affected the vote at the polls, did not affect the count, did it?—A. The Danville riot had this effect in the county of Halifax: it solidified the white vote almost entirely. As I said before, I don't suppose we received 25 white votes in the county of Halifax.

Q. Well, there are always a great number of voters who don't go to the polls, are there not, unless there is some extraordinary excitement?—A. There is a number; yes, sir.

Q. Now, I ask you, as an observant man, if the extraordinary excitement in your election last fall did not cause an increase of the Democratic vote; fairly cause it, from proper causes?—A. Certainly; I think so.

Q. The vote of your own party did not fall short of its strength. Was there any trouble on the day of election, any violence, to prevent men from voting or anything of that sort?—A. Nothing serious that I know of. The first thing I witnessed when I rode up to one of the precincts were six young men armed with breech-loading, double barrel shotguns; looked like they meant business; everything was quiet there, though.

Q. What precinct was that?—A. That was at Blackwater.

Q. Who were the young men?—A. I don't remember their names; in fact, I don't know the names of but one of them.

Q. Was that your precinct; where you voted?—A. No, sir.

Q. What were you doing there?—A. I went there to see a free ballot and a fair count.

Q. How do you know they did not go to see a free ballot and a fair count, too?—A. I just judge from the different ways we went—one unarmed and as a peaceful citizen, while they went with double-barrel shotguns.

Q. Well, couldn't a man see as well with a double-barrel shotgun as without one?—A. They see a good deal better, too.

Q. Wasn't you armed?—No, sir; didn't even have a pocket-knife.

Q. Was not there any other man of your politics there who didn't belong to that precinct?—A. No, sir; not that I know of.

Q. You were by yourself?—A. Yes, sir.

Q. Do you know whether there were any other arms on the ground?—A. Not that I know of, with one exception; I saw a colored man come out there with a gun during the day; one colored man.

Q. How long did he stay there?—A. I don't know; didn't notice. I remember seeing him there and told him—sent a colored man to tell him to go off hunting if he was hunting; that it might be construed different from what he came there for, and to tell him to go off hunting, or wherever he was going.

Q. Don't you know there were other colored men who had arms there that day?—A. No, sir; I do not. If there was a single man there who had a gun or pistol I didn't know it, with the exception I have just stated.

Q. At all events, nobody offered any violence?—A. No, sir.

Q. None at all?—A. No, sir; that was a state of affairs, though, that I never witnessed in Halifax County.

By the CHAIRMAN:

Q. Did these young men whom you saw come there on horseback?—A. Yes, sir.

Q. In a body?—A. Yes, sir; they held a meeting there the day before and organized.

By Mr. VANCE:

Q. How long did they stay?—A. All day.

Q. How long did you stay?—A. I staid until the count was made at sundown.

Q. Did you go there in the morning?—A. Yes, sir.

Q. And staid all day?—A. Yes, sir.

Q. You did not vote at all?—A. No, sir; I saved a hundred votes by not voting.

THOMAS J. WILSON (white), sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in Botetourt County—Fincastle.

Q. How far is that from Danville?—A. I suppose it is 125 miles.

Q. What portion of the State is it in?—A. It is in Southwestern Virginia.

Q. When did you first hear of the Danville circular, called "Coalition rule in Danville"?—A. I reckon it was eight days probably before the election, probably ten; eight or ten days.

Q. How generally was that circulated in your neighborhood?—A. It was put in the hands of every man in all the counties around there; I traveled over those sections, and they were distributed to every white man, and I found them laying on the road, in fence corners, and everywhere else.

Q. I will ask you if you saw shortly after that this circular or affidavit, which is called the "Ruffin circular." It is marked No. 3, and is headed "Read the proof"? [handing it to witness].—A. (Examining circular). No, sir; but I have one in my pocket that was presented over there in my section, signed by George C. Cabell. [Handing it to the chairman.]

Q. Was this in circulation in your county?—A. Yes, sir.

Q. How long before election was this circulated?—A. That was circulated on Sunday; it was printed on Saturday night, and Sunday sent all over that section. That confirms the "Coalition rule in Danville," and is signed by George C. Cabell.

Q. This was circulated on Saturday night or Sunday?—A. Yes, sir; it was circulated on Sunday, I know; I was in the city and got plenty of them Sunday—received there Saturday night. I picked up that circular.

The CHAIRMAN. I will offer that in evidence.

A MASS-MEETING IN DANVILLE.—COALITION RULE IN DANVILLE CONFIRMED.—HEAR WHAT THE PEOPLE SAY!

The following telegram, received by the chairman of the Democratic county committee of Roanoke County, confirms the "Danville Circular":

"A large and enthusiastic mass-meeting of the Democrats of Danville was held Saturday, November 3d, 3 o'clock p. m. The following resolution was unanimously adopted:

"We, the undersigned residents of the town of Danville, have examined the circular entitled 'Coalition Rule in Danville,' sent to the valley and Southwest Virginia, and signed by our fellow-citizen, W. T. Clark, and others, and we certify that it contains a substantial and true statement of the condition of things in the town for the last eighteen months, the assertions of the Richmond Whig and our Coalition judge and mayor to the contrary notwithstanding.

"GEO. C. CABELL,
"President of Mass-Meeting."

Voters, read your tickets carefully, every word. Be sure that the names of Trout and Marshall are on them, and be careful to put but one in the box. "For ways that are dark and tricks that are cunning, the Coalitionist is peculiar." Watch your tickets.

Q. When did you hear of the riot at Danville?—A. Well, sir, it was Sunday morning when I first heard of the riot; Sunday evening there was a flaming circular put out giving an account of the negro riot.

Q. Have you got that circular?—A. I have not; I would like to produce it as part of my evidence.

Q. I will ask you if it was like that [handing witness a circular headed "The True Index"], similar to that in terms?—A. Well, it was about the size of this, but it was not headed like this; it was signed by the chairman of the Democratic party of Bartlett County and the secretary.

Q. Can you furnish a copy?—A. I think I can; I have a copy at home.

Q. I wish you would be kind enough to send a copy to me.—A. It is headed "Negro riot in Danville."

Q. Write your name on the top of it and send it to me.—A. I will do so.

Q. It gave an account of the riot in Danville?—A. It gave a description; yes, sir.

Q. I wish you would state what was the effect of these different circulars and account of the Danville riot upon the election in your county.—A. Well, sir, I was a canvasser of the Readjuster and Republicans, and a good many of the men who had heretofore voted the Readjuster ticket failed to vote, would not come out, and a good many of them voted the Democratic ticket. They assigned the reason on account of the Danville riot; assigned me that reason. They said they heard the negroes were "rising" in Danville and had had a bloody riot, and killed several men. It was exaggerated in large circulars, I know that personally, and I can give names, if necessary, of a number of men.

Q. About how many persons who would have voted with you voted the Democratic ticket, as near as you can get at it?—A. We carried one precinct last fall for the Republican Congressman at large by 15 majority. We had the names of every voter at the precinct. We had a club; they had promised to vote our ticket. We lost at this poll by 27; that was a loss there of about 42 votes.

Q. In a single precinct?—A. Yes, sir.

Q. About how many in your county?—A. Since 1879 we have carried the county Coalition, by 89 majority; we lost it this year by 740.

Q. I will ask you if your county is not largely a white county?—A. Our county is.

Q. And most of your voters are white men?—A. Yes, sir.

Q. And they considered that the color line was drawn, and went for the white race against the colored race?—A. That was the issue—the white man against the negro.

Q. Was that issue ever drawn before in your recollection?—A. Never in my recollection.

Q. And you believe that that was the reason of this great change of vote?—A. Yes, sir.

By Mr. VANCE:

Q. You say that heretofore you carried Botetourt County by 89 majority?—A. I said in 1879.

Q. What was the election for that year?—A. That was the election for the legislature—the legislature that elected Senator Mahone.

Q. Then the Funder bill was the issue?—A. It was Readjuster—the same issue that there was last fall.

Q. Oh, no, I guess not; the debt question had been settled by the Supreme Court of the United States before last fall, hadn't it?—A. It had; but had not been acquiesced in by the Democratic party of Virginia, except by a motion of the State convention; we thought it was not in good faith.

Q. In other words, you did not want to kill the horse that had been carrying you, and wanted to keep him alive a little while?—A. We had no necessity to keep him alive.

Q. I will ask you if it was not apparent to you and everybody else acquainted with the politics of your county, a month before this Danville riot, that the county was going to go Democratic?—A. Everybody thought so, did you say?

Q. Everybody acquainted with the politics of your county.—A. Do you mean everybody gave it up that the Democrats would carry the county?

Q. Oh, well, you want to narrow my question; I ask you if it was not apparent to you?—A. Apparent to me?

Q. Yes.—A. I don't think it was; I thought we had a very good fighting chance in the county of Botetourt, everything considered.

Q. Didn't Daniel carry the county?—A. Yes, sir.

Q. Had it not been carried every year after 1879 by the Democrats?—A. The county of Botetourt would see-saw; one year the Coalition would carry it, one year the Democrats. There is a very floating vote in the county of Botetourt, and it was for the floating vote that the Danville circular was issued.

Q. What year since 1879 did the Readjusters carry that county?—A. The Readjusters have not carried it since 1879. We carried it before 1879.

Q. Then there has not been any see-sawing since 1879?—A. No, sir; the Democrats carried it in 1877 by nearly 900 majority.

Q. Well, but the Readjuster question was not up then.—A. Oh, yes; the Readjuster question was up in 1877. I know it was, because the Democratic convention was held in 1877, and the debt question was up in that year.

Q. What year was it the Democrats carried it by 900 majority?—A. They carried it in 1877.

Q. Then in 1879?—A. We carried it by 89 majority, showing there is a floating vote about the county; there is a public works there.

Q. And every year since then it has voted Democratic, has it not?—A. Every year since 1879?

Q. Yes?—A. Why, yes, sir.

Q. And every year the Democratic majority increased a little, did it not?—A. No, sir; it did not. Daniel carried it by 377 and Massey carried it by 312.

Q. Well, that was very nearly the same thing.—A. It was for the floating vote that this Danville circular was sent among us.

Q. And you think now that the Danville circular and riot was to blame for the change in that county?—A. Undoubtedly; nothing else could have been. We had a very popular man as candidate. It was so all throughout Southwest Virginia. It was intended for the southwest valley counties. It was addressed to the southwestern valley counties.

Q. Where is Botetourt County?—A. It is in the head of the valley; you may say it is in Southwestern Virginia.

Q. You heard of the riot Sunday morning?—A. Yes, sir.

Q. And Sunday evening the printed account came out?—A. Yes, sir; at Roanoke the printing presses were running all day; that is our center there.

Q. Where were you on Sunday?—A. I was in the county of Botetourt, on the edge of Roanoke.

Q. How do you know the printing presses were running all day in Roanoke?—A. I heard it, that they were running all day in Roanoke, circulars coming out every moment; I know there were four or five circulars put out during the day there on the line of the Shenandoah Railroad.

Q. Did you see it done?—A. I got them; I had three or four in my possession.

Q. You said that every white man in the county had them put in his hands?—A. Every man that I saw, and I saw them laying on the roadside.

Q. You did not see every white man in the county?—A. Every one that I saw.

Q. But that was not your original testimony.—A. That is what I intended. Of course I didn't see every man in the county.

Q. You ought to be a little careful.—A. I think if you will see there, you will see that that is my testimony. That is what I intended it to be. I would like to have that corrected, if it is not so.

Q. Was there any disturbance in your county on the day of the election?—A. No, sir; none at all, that I heard of.

Q. It was a peaceable election, was it?—A. Yes, sir; the Republicans concluded to have a peaceable election.

Q. The Republicans concluded to?—A. Yes, sir.

Q. It depended upon them, I suppose, whether the election was peaceable or not?—A. It was a preconcerted arrangement, it seemed to

be, through all these counties to have a riot, or something of that sort. Party feeling was running very high, and they, as I say, decided they would have a quiet election, as far as their side was concerned.

Q. Did the Democrats decide so too?—A. I don't know anything about it.

Q. Well, they didn't raise any row, did they?—A. None that I know of.

Q. Did you see any other circulars than those put out by the Democrats?—A. No, sir; I saw a circular put out by the people of the lower end of our county in regard to the removal of the court-house—we had a side issue in our county—I saw that.

Q. You didn't see any circular from Readjuster or Coalition headquarters?—A. No, sir; except I saw one in regard to the denial of this "Coalition rule in Danville." I saw that denial—that was sometime before the election, though.

Q. Did you see anything of any circulars concerning the Danville riot?—A. Any circulars concerning the Danville riot?

Q. Yes, from Coalition headquarters?—A. None that I know of.

Q. Did you see any dispatches published calling upon the colored men to turn out and avenge the murder of their brethren?—A. No, sir; none of them circulated in our county.

Q. A. Did you hear of any such in your county?—A. None at all.

Q. Did you see or hear of fraudulent ballots that were circulated by your people in your county?—A. I saw one. I don't know whether it was fraudulent or not.

Q. (Handing witness the following paper:)

DEMOCRATIC TICKET.

ELECTION, NOV. 6.

FOR HOUSE OF DELEGATES,

MADISON W. CAMPER.

Look at that and see if you recognize it as an old acquaintance.—A. I know it was Madison W. Camper. I recognize it.

Q. That was not the Democratic candidate's name, was it?—A. No, sir; I know nothing about this ticket at all; never saw it in Bartlett County.

Q. Did you see a notice stuck up advising people to vote for that ticket?—A. No, sir; never saw it at all.

Q. Did you ever see that [handing witness a written paper]?—A. No, sir; never saw that. I knew nothing about this ticket until the evening of election, when Mr. Camper, who was the nominee, showed me one of them.

Q. Well, he told you it was bogus, didn't he?—A. He told me it was bogus, but there was a man named Madison Camper, who lived in Boteourt County. I don't know whether he was running or not.

Q. Now didn't he tell you that an effort was made to have his friends vote this ticket in order that the vote might be thrown out?—A. He complained of that; yes, sir.

Q. Do you not know as a matter of fact that a good many of these were voted and thrown out?—A. I don't know; there was none of them thrown out; all counted for M. W. Camper.

Q. Was there not a row over this?—A. There was a division; some

thought they ought to be thrown out, but the majority concluded to count them for the nominee.

Q. Did not two of your judges vote to throw these tickets out?—A. I wasn't there; didn't know anything about it.

Q. Well, your knowledge ceased very suddenly.—A. They may have done so. I say there was a division; I don't know how many voted to throw them out or how many to count them. I knew they were counted.

Q. Did not you understand it?—A. I heard one judge of the election say that he had voted to throw them out; did not think they were legal ballots.

By the CHAIRMAN:

Q. What was the name of the nominee?—A. He was known as M. W. Camper.

Q. This was printed "Madison"?—A. Yes, sir.

By Mr. LAPHAM:

Q. But they were all counted for the man who was running?—A. Yes, sir; I have my idea of the man who printed these tickets.

By Mr. VANCE:

Q. There was a candidate at the same time of your name, a relative of yours, was he not?—A. Yes, sir.

Q. And there was found to be a mistake in his ticket, wasn't there?—A. Yes, sir.

Q. And the decision of the board not to throw out Camper's was not arrived at until they found they would have to throw out Wilson's, too, was it?—A. Well, they would have thrown out about 400 of Camper's and only a few of Wilson's.

Q. That would still have elected Camper, wouldn't it?—A. Oh, yes. In fact, Mr. Wilson stated before the board he didn't care about those votes.

Q. Well, but you were not there.—A. He told me that is what he said.

Q. (Again handing witness the written paper.) Do you know whose handwriting that is?—A. No, sir; it seems to be disguised; it looks like a disguised handwriting.

Q. Did you see such notices as that stuck up around?—A. I did not.

Q. Do you know of any from any other source?—A. I do not; never saw any until after the election; they were shown me. I saw notices after the election, but there wasn't any stuck up at our precinct. That looks very much like the handwriting of a notice that I received.

By the CHAIRMAN:

Q. Unless you know the handwriting, I do not think it is proper for you to give it, or unless you have a well-formed opinion about it. If you know or believe who wrote it, you can state it.—A. No, sir.

Q. Have you the notice to yourself to which you refer?—A. No, sir.

Q. Can you send it?—A. Yes, sir.

Q. Well, send it with the circular.—A. Yes, sir.

J. C. RICHARDS (white) sworn and examined.

By the CHAIRMAN:

Question. What county do you live in?—Answer. I live in the State of Ohio.

Q. Did you live in Virginia at the time of the election?—A. I was in Virginia, in Bath County, in October and November.

Q. You were a resident, however, of Ohio?—A. Yes, sir.

Q. When did you first hear or learn about the Danville riot, that it was to be or was?—A. I picked up a little circular at Millborough depot.

Q. First, how far is Bath County from Danville?—A. I am not able to tell you the distance from Danville, as I am not acquainted with the railroads of the State of Virginia. I have been told, however, it is something over 150 miles.

Q. In the southwestern part of Virginia?—A. Yes, sir.

Q. Go on and answer my question.—A. I picked up a little small circular——

Mr. VANCE. I think that circular ought to be produced.

By the CHAIRMAN:

Q. Have you a copy of it?—A. If you will postpone my examination until after I see Mr. John Rice, perhaps I might give you the circular. I am not positive that I can.

The CHAIRMAN. If you think we ought to have the circular, I will not examine this witness as to its contents now, nor will I examine him at all unless you let him send it afterwards. However, if you think it best to let him stand aside, we will not examine him.

Mr. VANCE. For manifest reasons, I think it is proper for the paper to be here; in the first place, to be certain of its contents, and, in the next place, to know whether anybody is responsible for the contents.

Mr. LAPHAM. Of course, if he cannot find it, then we are at liberty to prove his recollection.

(The witness was directed to stand aside, and his examination was subsequently resumed.)

By the CHAIRMAN:

Q. Where is that circular you spoke of?—A. I am not positive where it is at the present time. I have written a great many letters, and I am not positive whether I sent the Danville circular I received to Mr. Rice or to "The Blade" office, Toledo, Ohio.

Q. You are not certain of getting it for us within two or three days?—A. No, sir. I am not certain of getting it; in fact, I am not certain of ever getting it.

Q. All I can ask you in case you find it, is to send it to us?—A. Yes, sir.

Q. What was the state of feeling, excitement, in Bath County at the time you refer to?—A. At the time that I refer to, I thought excitement ran very high there in regard to the coming election in the State of Virginia.

Q. What was your business there?—A. I was a local historian.

Q. Gathering intelligence for the publication of a book?—A. Yes, sir; for the publication of a book.

Q. That is, you had been engaged in the business for a number of years?—A. Yes, sir.

Q. For different counties?—A. Yes, sir.

Q. You went around among the people there and got local items and published them for their local history?—A. Yes, sir.

Q. And you were doing that for Bath County, Virginia?—A. Yes, sir.

Q. You say the state of excitement was very high?—A. Very high. People were excited; both sides.

Q. What was the question upon which they were divided?—A. I don't know as I could just exactly state. I did not meddle any with

politics myself at that particular time. In fact, kept just as still as I could, but there seemed to be a party they called the negro party and a white man's party in Virginia at the time.

Q. When did you first hear about the Danville riot?—A. I heard of the Danville riot some time Saturday, between 7 o'clock in the morning and noon; that is the circular I refer to. It was a small circular that I picked up in——

Q. That purported to be an account of the riot?—A. It purported to be an account of the riot, and it was without date or place of residence. I looked at it, and it said that "a black wave had finally struck Danville," or something to that effect. I don't know that I could exactly give it in the very words.

Mr. VANCE. Now, Mr. Chairman, you are getting the contents of the paper which, I understood, was not to be done unless the paper was produced.

By the CHAIRMAN:

Q. Is this the same paper you spoke of a while ago?—A. Yes, sir.

Q. And you cannot produce it?—A. I cannot at the present time.

Q. You do not know where it was published?—A. I do not. There was no date or place of residence upon it. It was a small paper; if my mind serves me, about that size [indicating].

The CHAIRMAN. Now, Senator, it being a published circular going around among the people, I think, under the circumstances, it would be proper to prove the contents.

Mr. VANCE. Well, I object to it for the strongest of all reasons: It is not proven to have been issued by anybody in the world of any respectability or any authority. It is a waif upon society, and how that could be made evidence against anybody else I cannot understand.

The CHAIRMAN. Well, on the whole, although I do not like such testimony generally, I think it is competent in a matter of this kind to show public opinion and expectations or anticipations of people, whether the communications were anonymous or not.

Mr. VANCE. How do you know but what that is a political trick or device?

The CHAIRMAN. That may be matter of argument, you know, but at any rate such a paper was circulating, and the substance of it might be given. If there was any question about a public fact of this kind it probably might be excluded, but it is matter that we can ascertain whether it is true or false.

(To the witness.) You may go on and state the general substance of it.—A. The general substance of the paper was that the black wave had struck Danville, and that there had been four colored men and one white man, a leading citizen of Danville, a young man, killed. That is about all there was in the circular.

Q. When did you read that?—A. I read that some time between seven o'clock on Saturday, November 3, and noon of the same day.

Q. Where did you read it?—A. I picked it up in the hotel at Millborough depot, and I folded it up and put it in my pocket, and carried it out on the depot steps of the Chesapeake and Ohio Railroad and sat down and read it and folded it up and put it in my pocket. I afterwards removed it from my pocket to my valise. I did not feel at the time as though it was policy for me to——

Q. I do not care anything about that. Is that paper in existence now, so far as you know; have you got it?—A. I have not got it.

Q. Was that a printed paper?—A. It was printed; yes, sir.

Q. Did you see more than one of them?—A. No, sir; I did not.

Q. Are you certain about the date?—A. There was no date to it.

Q. Are you certain about the time?—A. Yes, sir; I am certain it was November 3, 1883.

Q. Before noon that day?—A. Yes, sir; before noon that day.

By Mr. VANCE:

Q. Whereabouts do you live?—A. I live in the State of Ohio.

Q. Whereabouts?—A. I live in Wood County, Ohio.

Q. What is your post-office?—A. Prairie Depot.

Q. Is it an incorporated town?—A. No, sir.

Q. What is the size of the place?—A. I should judge there are perhaps 250 or 300 inhabitants in the town.

Q. How long have you been living there?—A. I have been living there about eight years, I reckon.

Q. What is the name of the postmaster there?—A. E. R. Sage.

Q. Can you name some of the prominent citizens there?—A. Yes, sir; I can name all of them.

Q. Well, that would be most too much.—A. Well, Mr. Holiday, for one.

Q. What are his initials?—A. I always called him Mr. Holiday, and in fact I do not know that I know his given name. He is an old gentleman. I never had any business transactions with him particularly.

Q. What does he do?—A. He is a man who runs a saw-mill there; farms some; has a little bank account.

Q. They have a bank there?—A. Yes, sir.

Q. Who is the president of the bank?—A. I don't know.

Q. What is the name of the bank?—A. I don't know.

Q. What is the principal hotel in the place?—A. The Hess House is the principal hotel in the place.

Q. Who keeps it?—A. Joseph Hess.

Q. How long have you been in Virginia?—A. I came in Virginia in September.

Q. Last September?—A. Yes, sir.

Q. Where did you go to?—A. I came down the Shenandoah Valley to Riverside, and went from there to Lexington, and from Lexington to Bath County, Virginia.

Q. When did you get to Bath?—A. I got to Bath County some time in the month of October.

Q. How long did you stay there?—A. I staid there from—well, I think I was there about three weeks; it might have been four, but don't think it was.

Q. What did you do there?—A. Well, sir, I was local historian of a historical and geographical encyclopedia of the State of Virginia.

Q. Getting up one, or agent for it?—A. I was a local agent.

Q. What company employed you?—A. H. H. Hardesty & Co.

Q. Where is that company?—A. Toledo, Ohio; Chicago, Ill.; Richmond, Va.; New York City.

Q. Your business was to get subscriptions for them?—A. Get subscriptions and take biographical sketches of prominent Virginians.

Q. Were you in Botetourt County at any time?—A. I have since October went to Botetourt County.

Q. On the same business?—A. Yes, sir.

Q. Did you represent yourself in Botetourt County as being an agent for a forthcoming history of the Confederate war to get up a roster of the soldiers?—A. Yes, sir; that is what I represented.

Q. Is that the same thing as the historical and geographical encyclopedia?—A. Yes, sir; that is all combined.

Q. All the same thing?—A. Yes, sir.

Q. Now, you have spoken of the contents of this circular; what did you say it was; how many were killed in the riot?—A. My impression is that there were four colored men killed and one very prominent white man—a young man of the city of Danville.

Q. How was that?—A. Four colored men were killed, and a very prominent young man of the city of Danville.

Q. That was, to the best of your recollection, the contents of this circular?—A. Yes, sir; that was it.

Q. And that was between seven o'clock and noon?—A. Between seven o'clock and noon; yes, sir.

Q. About four hours before it occurred?—A. I am not familiar with the date of the occurrence of the Danville riot. I don't know. It might have been.

Q. Well, you saw this circular in the depot the Saturday before the election, did you not?—A. Yes; that was on Saturday before the election.

Q. Well, that was the day that it occurred?—A. Yes, sir.

Q. Was there a telegraph there at the depot?—A. Yes, sir; there was a telegraph at the depot.

Q. You think you cannot be mistaken about the time of day?—A. I think I cannot; no, sir. I had seen other circulars previous to this. Some two weeks before that I had seen several circulars.

Q. Of the Danville riot?—A. No, sir; "Coalition rule," &c.

Q. This that you saw was printed, was it not?—A. Yes, sir; it was a little printed paper, blank on one side, and I think it was about—

Q. It was not a telegram in writing?—A. Oh, no; there was no date nor place of residence nor anything of the kind; just a circular.

Q. Did it purport to be a newspaper supplement or extra?—A. No, sir.

Q. Such as the newspapers sometimes issue?—A. No, sir; it was not even as definite as a sale bill, stating what corner the sale would be or anything of that kind; just simply what I tell you.

Q. Did it not appear to be what the printing men call a "dodger"?—A. Yes, I think so.

Q. Or handbill?—A. Yes, sir; kind of a handbill.

JACOB F. SHAW (white), sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Henrico County, Virginia.

Q. What part of Virginia is that in?—A. Well, Richmond is in Henrico County; I live about 9 miles west of Richmond.

Q. What office or position do you hold there?—A. Commissioner of revenue.

Q. That is an office under the State government of Virginia, is it?—A. It is a county office.

Q. When did you first hear about trouble in Danville?—A. It was a week before the election; I don't remember exactly the day, but I think it was about the middle of the week before the election.

Q. What did you hear?—A. I was at the Galego Mills on business; I transacted my business with a clerk in the mill by the name of J. C. Hardy. After getting through with my business he asked me if I had heard of the fight or trouble—I disremember which he called it now—

at Danville; I told him I had not; what sort of a trouble was it? what was it about? He went on and told me there was a fight between the colored and whites, and I asked him what it was about. He said it was about some colored women crowding some white women off the pavement. I asked him if there was anybody hurt. He said yes, a good many killed, as he understood. I asked him if it was in the papers. He said no; it happened too late; the papers had gone to press, but he reckoned it would be in the morning's papers.

Q. Are you sure this was before the riot actually occurred Saturday?—A. Yes; I am sure of it.

Q. Who was the president of that company, the manufacturing company you speak of?—A. I don't know who the president is.

By Mr. VANCE:

Q. Who was the man told you that?—A. J. C. Hardy; I think his initials are J. C.

By the CHAIRMAN:

Q. Do you know Mr. P. C. Warwick; is he connected with the company?—A. I think he is.

Q. Connected with it, but you do not know whether he is president or not?—A. No, sir; I do not.

Q. What further did he say to you about this contest?—A. He said, "That will draw the color line if nothing else will; which side will you take?"

Q. What did you reply to that?—A. I don't remember my reply exactly, but I think I gave him to understand that I had got enough of war, and did not wish to take either side if they got into a fight; I don't remember exactly.

Q. What party did you belong to at that time?—A. The Readjuster party.

Q. How soon after that did you read the account of the Danville riot?—A. I don't think I read it until the Monday of the next week; I think it was on Monday.

Q. You then read the accounts published in the Richmond papers, I suppose?—A. I think it was on Monday; I am not sure it was Monday; it was some time in the next week following.

Q. What was the effect of the race issues of the contest at Danville on the political canvass then going on?—A. I don't know; I cannot say.

Q. You cannot say about that?—A. No, sir.

By Mr. VANCE:

Q. Who was Mr. Hardy?—A. He was clerk at the Galego mills.

Q. What day was it?—A. I cannot recollect the day, but I think it was about the middle of the week before the election in November.

Q. And he told you all about the riot before it happened?—A. He asked me if I had heard of the fight in Danville.

Q. You are sure it was not Saturday evening?—A. Yes; I am sure it was not Saturday evening.

Q. What were you doing in Richmond?—A. I was there to buy some meal. I have been buying meal there nearly every week for the last several years.

Q. Where do you live?—A. About eight miles from Richmond.

Q. What is your business?—A. I keep a store and farming. I generally buy corn meal every week to sell in the store.

Q. What kind of a store?—A. Grocery store.

Q. What do you mean by groceries—whisky?—A. Well, I keep whisky and groceries.

Q. Your customers are mostly colored people, are they not?—A. They have been for the last two years.

Q. And you also had some office in the revenue?—A. Yes, sir; I have a county office.

Q. What is that?—A. Commissioner of revenue for the county of Henrico.

Q. Commissioner of revenue?—A. Yes, sir.

Q. From what district were you elected to that position?—A. The upper district.

Q. Into how many districts is the county divided?—A. Into two districts.

Q. That is, outside of the city?—A. Yes, sir; outside of the city.

Q. It is a county arrangement entirely; has no connection with the city?—A. No, sir; it has no connection with the city.

Q. What ticket were you elected on?—A. Readjuster.

Q. Most of your constituents, those who supported you, were colored people, were they not?—A. I don't know. I reckon probably most of them were.

Q. Did this man Hardy give you the particulars of the fight?—A. No, sir; that is all he gave, what I have stated.

Q. Did not you inquire something more about it—have some curiosity to know about such things?—A. No; that is all the inquiries I made. I asked him did he know how many was killed, and I then asked him was it in the papers. That is all the inquiry I made.

Q. What time of day was it?—A. It was, I reckon, about 2 o'clock.

Q. What was it you said about Mr. Peter Warwick?—A. Well, I don't know whether he is a partner in the mill or not. I have always thought he was, but don't know it.

Q. What was it you said to Mr. Sherman about him? You mentioned Mr. Warwick's name.—A. He asked me if he was president of the company, I think, and I told him I didn't know whether he was or not.

Q. Do you know Mr. Warwick personally?—A. I know him when I see him.

Q. Do you know where he lives?—A. He lives in Richmond, but I don't know whereabouts; I think he lives in Richmond; I have understood he lives in Richmond; I don't know that he does.

Q. Don't you know that he lives in Chesterfield?—A. No, sir; I don't know.

Q. Don't you know he represented that county in the last legislature?—A. Yes, sir.

Q. He could not represent that county unless he lived in it, could he?—A. I don't know whether he lived in Richmond or Chesterfield.

Q. How many times a week do you generally go down to Richmond?—A. I sometimes go three times a week, sometimes oftener, and sometimes not so often, but I reckon I will average twice a week anyhow, most every week.

Q. Were you there any other time in the week except this time Mr. Hardy communicated that intelligence to you?—A. In that week?

Q. Yes.—A. I think I was.

Q. Were you not in there Saturday?—A. I think I was.

Q. How do you go in, on your own conveyance or on the train?—A. Sometimes on the train, and sometimes on the road; generally on the road.

Q. What time did you leave on Saturday evening to go home?—A. I don't remember.

Q. Pretty late wasn't it?—A. I can't remember whether it was late or early.

Q. Cannot you remember what time you got home, whether you got home before dark?—A. No, sir, I cannot; it is generally dark though every day before I get home. It is a long ways and a dark road.

Q. Generally dark every evening?—A. Yes, sir.

Q. And eight miles?—A. Eight or nine miles.

Q. You were postmaster there at your place, were you not?—A. No, sir.

Q. Have you not been postmaster there?—A. No, sir; never kept post-office.

Q. Were you not appointed postmaster?—A. I think probably I was, but never kept the office.

Q. Why didn't you keep it?—A. I didn't want it.

Q. I ask you if you didn't propose to keep it in your barroom, and the citizens objected, and you had to give it up?—A. No, sir.

Q. Was there nothing said about that?—A. Nothing that I ever heard of.

Q. Was not there a long petition filed here against your keeping the post-office in your grocery, or grog-shop?—A. If there was, I never heard of it.

Q. Did not Mr. Wise here tell you that he had such a petition against you?—A. No, sir; he never did; never spoke to me about it.

Q. Never spoke to you about it?—A. No, sir.

W. S. JONES (white) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live at Martinsville, Henry Court-House.

Q. I will ask you when you first heard anything about the Danville riot, or trouble?—A. I heard——

Q. Let me ask you in what direction this is from Danville and how far from it?—A. It is west; 42 miles by railroad.

Q. Now, go on and state when you heard about the Danville matter.—A. I heard it Sunday morning.

Q. Who from?—A. Various parties. It was telegraphed there on Saturday night, but I never heard of it until Sunday morning.

Q. I will ask you whether you heard any conversation in respect to trouble at Danville, prior to it occurring, on the train or elsewhere?—A. Yes, sir.

Q. State what it is.—A. On Friday night it was, I believe, I was on my way from Richmond.

Q. On your way from Richmond home?—A. Yes, sir; and there was a gentleman on the train; I got in conversation with him by some means or other, I don't know how it came up now.

By Mr. VANCE:

Q. What is his name?—A. I don't know his name.

Mr. VANCE. O well, we object to the conversation.

The CHAIRMAN. With a view to show the state of feeling and expectations at the time, I think it would be proper to connect if possible——

Mr. VANCE. Mr. Chairman, it would be hard enough to hold the entire party of the State responsible for the utterances of one respectable, well-known Democrat, but for a stranger on the train who cannot be

identified here, surely there is no law on earth that would hold the party responsible for his declarations.

The CHAIRMAN. Except this: I think a conversation of this kind might tend to show the expectation of collision and riot, and trouble growing out of the excited state of feeling on the election. It is not a very strong circumstance, but I think it is a proper one.

(To the witness.)

Go on and state what occurred; we will determine the question afterwards.—A. He went on to speak of the colored people in Danville, being so many there, and he thought there would be trouble among them; probably the whites and the colored, and he said then that he received a telegram that morning to return back to Danville on account of that; he didn't expect to return until the next Monday; that they expected trouble there on Saturday.

Q. Did he say he was a citizen of Danville?—A. He said he lived at Danville.

Q. That was on Friday, was it?—A. Friday night.

Q. What else was said about that?—A. He went on to say that three signals of the Star warehouse bell would raise one hundred men in arms at any time.

Q. Would call one hundred men?—A. Yes, sir.

Q. What else?—A. That was about all he said about that. He said he did not tolerate the Coalitionists or Readjusters at all; he would not admit them into his house; would not eat with them if he knew it, and a great many things in that respect.

Q. Is this a white man?—A. Yes, sir; he looked to be white.

Q. When did you first hear an account of the Danville riot?—A. I never heard of it until Sunday morning, though it was telegraphed there Saturday evening.

Q. What was the report that was circulated there?—A. I don't remember now; I did not really pay much attention to it myself.

Q. Did you see any of the circulars giving an account of it?—A. I did not.

Q. Can you tell us the effect of it upon your elections there?—A. I cannot, because I never take any interest in any elections, or anything of the sort myself.

Q. That man did not tell you his name?—A. He did not; and I never asked him.

Q. And you did not know who he was, except he was a citizen of Danville?—A. Yes, sir.

Q. Did he show you the telegram?—A. No, sir; we got on the buss together, and he got off at the hotel, the Newton House.

Q. He got off at Danville?—A. Yes, sir.

Q. Did he go from Richmond to Danville with you?—A. Well, he was on the train. I never saw him when he got on. He said he was from Richmond.

By Mr. VANCE:

Q. Did you hear anybody else make any remark about what was going to happen in Danville?—A. No, sir; I did not.

Q. You don't know this gentleman's name; never asked him his name?—A. No, sir.

Q. What kind of a looking man was he?—A. He was a very respectable looking man.

Q. What kind of clothes had he on?—A. I don't know; I never noticed his clothes; I do not scrutinize a man as to his clothes.

Q. What was the color of his hair?—A. I think it was rather sandy, as I remember.

Q. Rather sandy hair?—A. Yes, sir; his beard was, I am pretty certain.

Q. Was he a big man or a little one?—A. Medium size.

Q. Did he look very fierce and dangerous?—A. Not very.

Q. He said he had been telegraphed to come back; that they were expecting trouble?—A. That is what he said. I never asked him for any information at all about it.

Q. And that the ringing of the Star warehouse bell would call up one hundred men?—A. That is what he said.

Q. Didn't you ask him some particulars about these things?—A. I did not; I knew nothing about it.

Q. Didn't you ask him about how the trouble was coming on in Danville?—A. He said it would be between the whites and colored.

Q. I know, but didn't you ask him, and that was the reason why he came to tell it to you?—A. No, sir; I did not.

Q. Did not you put the questions to him that brought it out?—A. No, sir; I did not. He was speaking of the amount of colored people that was in Danville, and he said he had some twenty or thirty that he worked every day, and he really liked them; he couldn't do without them; he thought they was a benefit, but yet that he didn't think that they were capable of voting. That was about what he said.

Q. He just took you into his confidence?—A. Yes, it seems he did.

Q. He was charmed with your personal appearance?—A. I suppose so.

Q. He took you into his confidence and told you how the thing was arranged and how they could bring one hundred men and so on, and so on?—A. That is what he did.

Q. Maybe that man was coming back from the lunatic asylum?—A. Maybe he was.

Q. I think it likely.

By the CHAIRMAN:

Q. Did he show any signs of lunacy?—A. He seemed to be pretty crazy on that subject.

By Mr. VANCE:

Q. You say that you do not know he lived in Danville; he only told you so?—A. That is what he told me; said he had been a citizen of Danville for years.

Q. Did you go on through Danville that night?—A. I staid all night in Danville.

Q. Did he stay there too?—A. He got off at a hotel in Danville.

Q. Got off at the hotel?—A. Yes, sir.

Q. Citizens generally go to a hotel in a town where they live?—A. I don't know where he went afterwards, he got off at the hotel.

By Mr. LAPHAM:

Q. I think you said he would not eat at the same table with a Re-adjuster?—A. That is what I understood him.

JAMES S. BROWNING (white) sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. At present I reside in Richmond.

Q. Where did you reside in August last?—A. I resided in Richmond in August last; I have a temporary residence there.

Q. Do you remember where you were on the 29th day of August?—A. Yes, sir; I was returning from Washington County, which is my home permanently; I have an official residence in Richmond; I was returning from my attendance upon the convention that nominated the legislative candidates.

Q. On your return did you pass through a place named Scottsville?—A. Yes, sir.

Q. Where is that?—A. Scottsville is in Albemarle County, I think.

Q. Do you know a gentleman by the name of General Hill living there?—A. Yes, sir.

Q. What is his business?—A. At that time he was editor of The Scottsville Courier, but he was afterwards sergeant-at-arms of the house.

Q. The Democratic house?—A. Yes, sir.

Q. A Democratic paper?—A. Yes, sir.

Q. Did you have a conversation with him at that time?—A. I did.

Q. State it.—A. The conversation which occurred between General Hill and myself was to this effect: He first said that he had seen that I had been nominated in Washington County for the legislature in the lower house, and after a few more words, but nothing of special importance, he remarked, "We will defeat you this time." I cannot give his exact language at present.

Q. You individually, or the party?—A. I asked him that question. He said, "No, we will defeat you in the State," and the remark was so significant, I asked him how so, and he said, "We have more money than you, and we intend to use it, and we mean to bully where we cannot buy."

Q. Those were his words?—A. Yes, sir; I would like to state in that connection that his remarks were so significant, that I turned and noted them in my book.

Q. Made a memorandum?—A. Yes, sir; I made a memorandum of it.

By Mr. VANCE:

Q. Are you and General Hill on intimate terms?—A. Yes, sir; we have been personal friends, or rather I have liked him very much; I don't know that you would deem it personal friendship, but we have always been on intimate terms since my acquaintance with him.

Q. And he took you into his confidence, told you of the money, the corruption fund they had on hand?—A. I don't know whether he took me into his confidence or not; he made that remark to me.

Q. He knew he was talking to a political enemy, did he not?—A. Yes, sir; he knew who I was and what position I held.

Q. Yes, and he told you they had more money than you had and they were going to use it?—A. Yes, sir.

Q. They intended to bully where they could not buy?—A. Yes, sir.

Q. And you made a note of it?—A. I did.

Q. When was that?—A. That was about two days after my nomination, I think about the 27th or 29th of August.

Q. Did you make that declaration public?—A. Well, sir; I spoke of the declaration in the presence of Governor Cameron and Mr. Sims, and perhaps in the presence of General Mahone.

Q. Still I ask you if you made it public, if you spoke it on the stump, or published it in the newspapers?—A. It was published in the "Address," published after the election; but I do not remember in any of my speeches making it public.

Q. Have you ever heard from General Hill on the subject?—A. I have not.

Q. Do you know whether it has come to his attention that it was published?—A. I do not know; I suppose that he read the address, but in the address it was not stated what person spoke; I do not know that General Hill read that; I do not know that it has ever been called to his attention.

Q. What address do you refer to?—A. I speak of the address issued by the chairman of the party immediately after the election.

Q. The one in which the defeat was accounted for?—A. Yes, sir.

EPPA BUCKLEY (white) sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. I live in Fairfax County, Virginia.

Q. Where were you prior to the 3d of November; were you there?—A. I was at home; yes, sir.

Q. State whether or not a rumor, or report, came to you in respect to a riot at Danville.—A. I was at our depot, 2 miles from where I live, at Clifton Station, on the Midland Railroad, on Friday, the 2d, I think.

Q. The 2d of November?—A. Yes, sir. There was a current report there that day that there had been a riot at Danville.

Q. On the 2d; are you able to fix definitely the day?—A. I know that that was the day. I know that it was on Friday.

Q. Had you ever seen before, or since that time, what was called the "Coalition rule in Danville" circular?—A. Yes, sir; I think it is that I received on the next morning by mail.

Q. The next morning, when?—A. On Saturday, the day after, by mail. It was sent to me by—I am not sure who it was; though it was mailed at Brentsville, Prince William County.

Q. It is not very material; if you know who sent it, you may state it.—A. I think it was from a gentleman there.

Q. Do you know how the report came?—A. It came from the Midland Railroad.

Q. Does that come from Danville?—A. I think so. There were several trains at the depot at that time, some going up, some down.

Q. Was it a matter of common, general conversation?—A. Common conversation; everybody in the neighborhood found it out, and supposed the riot was over, and in fact the people there never knew any different until Monday morning but what it did take place Friday morning or Thursday evening.

Q. How did the account come, then, on Monday?—A. The Alexandria Gazette then stated that it came off Saturday evening about 3 o'clock. I am not sure about the hour. I never knew any better until I read the Alexandria Gazette Monday morning.

Q. You saw the Alexandria Gazette Monday morning?—A. Yes, sir.

By Mr. VANCE:

Q. Who brought the rumor?—A. The men on the railroad; there were two or three trains coming down.

Q. What men on the railroad?—A. The hands working on the cars. It was current report.

Q. Colored men?—A. No, sir; there are no colored men working on the trains at all on that road.

Q. Do you mean the engineer, fireman, brakemen, and so on?—A. The brakemen and conductors.

By the CHAIRMAN:

Q. They are all white men?—A. All white men.

By Mr. VANCE:

Q. Did you hear the men say so?—A. Oh, yes; groups all around, telling it; a big riot in Danville. The train staid there an hour or two.

Q. Did they tell you how many were killed?—A. They didn't tell how many were killed: "A big riot, whites and negroes."

Q. That is not half a report unless they told you how many were killed.—A. Well, they didn't tell how many were killed, or if they did, I didn't hear it; that was the current report.

Q. Was it a freight or passenger train?—A. Passenger train.

Mr. VANCE. Does the committee think it is competent, just a tale told by railroad hands?

The CHAIRMAN. Only just to show the nature of the report.

Q. Can you give any more than the rumor?—A. No, sir; no more than that.

Q. Who was the fight between?—A. The colored men and white men.

By Mr. VANCE:

Q. What are your politics?—A. I have been what you might term a Democratic Readjuster.

Q. What are you now?—A. Well, I am the same thing now; born and raised a Democrat, although I always have voted about half, ever since there has been a Readjuster ticket. I have never voted the full vote on either side. Politics have got so corrupt in my part of the State, that I vote for men, not party. That's my politics.

Q. Well, you are Readjuster. That will do.

By the CHAIRMAN:

Q. You are a native of Virginia?—A. Native born, and raised right where I am at.

W. J. WYLIE sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live at Bland Court-House.

Q. How far is that from Danville?—A. It is west from Danville, I suppose, perhaps 200 miles.

Q. When did you first hear of any rumored riot at Danville?—A. On Monday before the election.

Q. In what form did that come to you? Have you a circular, or anything showing in what form it came to you?—A. No, sir; I have not. There was a circular come to the county and circulated, but I haven't got it. I saw it at the time, and tried to find it to bring it with me.

Q. Where did that purport to be printed?—A. I think it was printed at Wytheville.

Q. Is that in the county of Bland?—A. The county seat of Wythe.

Q. What was the nature of that? What was it?—A. The nature of the circular was that there had been a riot in Danville on Saturday before.

Q. Between whom?—A. Between the white people and the negroes.

Q. How many were reported to be killed?—A. I don't remember.

Q. Was there a rumor that people were killed on more than one side?—A. Yes, sir; the rumor was they were killed on both sides; I don't recollect the number.

Q. What was the effect of that rumor upon the election?—A. You mean in Bland County?

Q. Yes.—A. Well, as a fact, I cannot state that it had any effect, as a fact; I can give you my opinion.

Mr. VANCE. We just want the facts.

By the CHAIRMAN:

Q. Well, what is your opinion?

Mr. VANCE. We want the facts, Mr. Chairman; I don't think his opinion is competent.

By the CHAIRMAN:

Q. I can ask your opinion, and you can give the basis of your opinion afterwards.—A. The contest in Bland County was pretty close; both men who ran for the house of delegates were citizens of the county, and the election became very heated, and the vote was counted pretty closely, but we didn't carry the county by about fifty as many as we expected.

Q. The Readjuster?—A. Yes, sir. Now, what influence operated to change that number of votes, I cannot say.

Q. You belong to the Readjuster party yourself?—A. Yes, sir. My opinion is, if you want that, that there were not perhaps more than 15 or 20 votes influenced by the Danville riot. I don't know it; I don't state it for a fact.

Q. Was it influenced for or against the Readjuster party?—A. It went 25 majority against the Readjuster party. We expected to carry it by 75 or 100. We had counted pretty closely.

Q. I will ask you, if your county is not a white county; that is, a preponderance of the white vote in your county?—A. Oh, yes; there are only about 45 or 50 negro voters in the county, and between 800 or 900 registered voters.

Q. All the rest were white, as a matter of course?—A. Yes, sir.

Q. Do you know anything else in regard to this matter?—A. No, sir; I don't know that I do, except the Danville circular.

Q. When was that circulated?—A. That was circulated a week before election.

Q. How generally was that circulated?—A. It was circulated pretty generally all over the county.

Q. What was the effect or tendency of that circular, so far as you could gather?—A. Well, sir, they used it as an argument that there would probably be a war of races, and the white men ought to stick to their color.

Q. Stick to their race?—A. Yes, sir.

Q. I will ask you what was the effort of the Democrats in your region to make that color line—to make a color issue?—A. Well, sir, they used it as an argument to carry the election. I suppose you might call it an effort to make a color line.

By Mr. VANCE:

Q. You are judge of that county, are you not?—A. I am the judge of Bland and Giles Counties.

Q. You are likewise chairman of the Coalition executive committee, are you not, of those counties?—A. Yes, sir.

Q. Act in both capacities?—A. Not in both counties. I am chairman only in one county, judge in two.

Q. Bland County is the one of which you are chairman of the committee?—A. Yes, sir.

Q. Did you edit a paper there also, called the "Southwest"?—A. Yes, sir; Bowen and Hedrick edit the paper. I sometimes write for it.

Q. Well, you are one of the editors, are you not?—A. Not known as an editor.

Q. Well, suppose we have you known now as such.—A. Well, sir, I wrote for the paper; Bowen and Hedrick are the editors.

Q. Have you got any interest in it?—A. Yes, sir; I own stock in it.

Q. Don't you exercise a controlling influence over its editorials?—A. Yes, sir; I do.

Q. As judge of the county, it was your duty to appoint the judges of the election, wasn't it?—A. It was.

Q. On whose recommendation do you act in making appointments for judges?—A. I generally consult the people in the magisterial districts where appointments are to be made.

Q. Don't you consult the board of commissioners of the county?—A. No, sir; we have no board of commissioners; we have supervisors. There are commissioners appointed to count the vote. One of the judges of each magisterial district compose the commission to count the vote.

Q. Did you not remove a judge of the election by the name of Allen in the April term, 1883?—A. Have you his given name?

Q. No, sir; I reckon you know that.—A. No, sir; I cannot recollect.

Q. Did not you appoint a gentleman named Isaac Davis in the place of Mr. Allen?—A. I appointed a gentleman by the name of Isaac Davis, but I made the appointment after the other's term had expired, is my recollection.

Q. What were Mr. Allen's politics?—A. Mr. Allen was what we call a Funder.

Q. You mean by that a Democrat?—A. I suppose so.

Q. But you know it; there is no supposition about it. You know that they call themselves Democrats, and that they are recognized in the nation as the Democratic party of Virginia, don't you?—A. Funders?

Q. Yes.—A. I don't know.

Q. By Funders you mean people who want to pay their debts?—A. I don't know any person in Virginia that don't want to pay their debts.

Q. Then they are all Funders, are they not?—A. I don't know.

Q. Then Mr. Allen was not a Democrat?—A. Mr. Allen was a Funder, not a Readjuster.

Q. You say he was not a Democrat?—A. He was, I suppose, a Democrat, if you call a Funder a Democrat.

Q. Well, you know what they are called; you know that Funder is the term you Readjusters apply to them; you know they are recognized as a part of the Democratic party of the United States.—A. We call them, generally, Bourbons.

Q. Yes; but they were really Democrats, were they not?—A. I suppose they consider themselves Democrats.

Q. You suppose so?—A. Yes, sir.

Q. It would not hurt you to say so.—A. Yes, I suppose so.

Q. It would not hurt you to speak out and be a little candid in this matter.—A. Well, I am as candid as I can; I am on oath.

Q. Now, you know they are all called Democrats, and a Funder is a term of reproach applied to them.—A. No, I don't know that it is.

Q. Do they call themselves Funders?—A. I believe they do, some of them.

Q. You do?—A. There are two terms applied to Virginia politicians;

that is Readjusters and Funders. In national politics, I suppose, they call us now Radicals and Democrats.

Q. Was not Mr. Allen, whom you removed, a good man; was there any charge against him?—A. No charges that I know of.

Q. What were the politics of Mr. Davis, whom you put in his place?—A. Mr. Davis was a Funder.

Q. Was a Funder?—A. Yes, a Democrat, if you call them so.

Q. Didn't he vote with your party last fall?—A. I don't think he did.

Q. You swear that he did not?—A. No, I don't swear that he did not. My information is that he did not vote with our party.

Q. Didn't you have assurances when you appointed him he was going to vote the Coalition ticket?—A. I did not.

Q. Didn't you appoint him for that reason?—A. I did not.

Q. Why did you remove the other man then?—A. I appointed Mr. Davis at the expiration of his term.

Q. Why did you not reappoint Mr. Allen?—A. Because Mr. Allen was a farmer there in good circumstances, and Mr. Davis was a poor man and needed the emoluments of the office.

Q. What emoluments pertain to the office of judge of election?—A. Well, sir, they get \$1 a day.

Q. How long do they sit?—A. They sit one day.

Q. One day?—A. Yes, sir.

Q. And you thought \$1 would help him along?—A. That \$1 would help along a man in his condition very much. He was a crippled man; could not walk, hadn't walked in six or seven years; almost a charge upon the county.

Q. Didn't you also remove Edmond A. Davis at Rocky Gap precinct?—A. No, sir; I may have appointed another man in his place; I don't remember.

Q. Didn't you appoint William Lambert in his place?—A. I appointed William Lambert, I suppose, after the expiration of his term.

Q. Don't you know whether you appointed him or not?—A. I say I didn't remove any man; I appointed those men at the regular time for appointing.

Q. You don't call that removing?—A. No, sir; if a man's office expires he is out.

Q. What were the politics of Mr. Edmond A. Davis?—A. I think Mr. Davis was a Democrat, or Funder.

Q. What were the politics of the man who took his place?—A. I think he was a Readjuster.

Q. You think he was a Readjuster?—A. Yes, sir.

Q. Now, were not all the judges, when that change was made at Rocky Gap precinct and at Mechanicsburg, Readjusters?—A. No, sir.

Q. What ones were not?—A. Mr. Davis was not at Mechanicsburg.

Q. He is the man you removed?—A. No, sir; Allen is the man you say I removed; I didn't remove any one.

Q. Well, the man whom you suspended?—A. Yes, sir. I didn't really know what his politics were.

Q. Didn't the law require that the judges shall be of different politics?—A. Yes, sir.

Q. How many judges are there?—A. Three judges in each magisterial district.

Q. What does the law require in that respect?—A. The law requires that they shall be appointed from each political party, but it is not

ground for invalidating the election if I had not appointed from different political parties.

Q. But what about your duty to make the appointments?—A. My duty is to appoint them from different political parties.

Q. Did you do so?—A. I have always attempted to do so.

Q. Why couldn't you do it if you attempted it?—A. I think I did.

Q. Now, at Rocky Gap precinct and at Mechanicsburg the appointment of these men there were Readjusters?—A. I don't know how they voted in the last election. I don't know really what their politics are at the present time. I appointed those men upon the recommendation of the people of those places, and I never made any inquiry when I made those appointments as to a man's politics.

Q. But the law requires you to do it. You didn't make any inquiry; then who recommended them? Were they Democrats or Readjusters? Who recommended the appointment?—A. I think they were generally Readjusters.

Q. You took their word for it and didn't inquire whether you were fulfilling the law or not?—A. Yes, sir; I made other inquiries.

Q. Did you make an appointment of a superintendent of the poor for that county last year?—A. I did.

Q. Who did you appoint?—A. I appointed a man by the name of Terry.

Q. Had another man been recommended by the board of supervisors?—A. Yes, sir.

Q. Who was he?—A. I believe his name was Lambert.

Q. Why did you disregard the recommendation of the board of supervisors; they are required by law to recommend them?—A. They are required by law to recommend, but the court is not bound by the recommendations of the board of supervisors. I thought the other man was the most suitable man.

Q. Did you not tell the president of the board before they made the recommendation that you would respect the recommendation?—A. I don't remember that I did. There were a good many applicants to me for the place and I told them to get recommendations from the board.

Q. Didn't the board recommend Mr. Lambert by three to one?—A. There was a majority; I don't recollect whether it was three to one.

Q. Well, out of the four supervisors, that would have been three to one, would it not?—A. Yes, sir.

Q. Did you not appoint the man that they rejected, whom they refused to recommend?—A. Yes, sir.

By the CHAIRMAN:

Q. Was that a Democratic paper that you speak of seeing an account of the Danville riot in?—A. No, sir; it was a circular.

Q. Do you know whether it was issued from a Democratic press?—A. I think it was issued from a Democratic press; yes, sir.

By Mr. VANCE:

Q. What press?—A. It was the Wytheville Enterprise, I think.

Q. A supplement, wasn't it, containing the latest news?—A. Yes, sir; that's my recollection. I tried to get one to bring with me, but I couldn't.

Q. Was it stated about correctly as you found it afterwards, as far as the facts were concerned?—A. No, sir; I don't think it attempted to give any of the facts. It simply said there had been a riot in Danville, and appealed to the white man to stick to his color—a war of races had commenced.

Q. It didn't attempt to give the particulars?—A. No; I think not.

By Mr. LAPHAM:

Q. You said it stated the fact that men were killed on both sides—white and black?—A. Yes, sir; it said that, I think. I was busy holding court at the time, and I did not pay much attention to it.

By Mr. VANCE (handing paper to witness):

Q. I have here an editorial from the paper in which you are interested. I will ask you if you wrote it or know anything about it. Please look at it; it is the marked article.—A. (Examining paper.) Yes, sir; there seems to be two marked.

Q. That one about Mr. Mustard is the one I desire to call your attention to.—A. I think I wrote it.

Mr. VANCE. We offer that in evidence as showing the temper:

As will be seen from the proceedings of the general assembly, S. P. Mustard, the delegate from Bland and Smyth Counties in the legislature, has been allowed his seat in that honorable body.

The many friends of Mr. Mustard in Bland and Smyth have been expecting that his head too would fall in the basket, not that they believed he was not justly entitled to his seat, but because they believed he was in the power of an unscrupulous foe, who would not stop short of anything this side of hades to accomplish and carry out its wicked and hellish purposes.

The only thing to be regretted in this matter is that so good a man as S. P. Mustard should, in the history of Virginia, be connected with so infamous, craven, and corrupt a crew as the present shotgun legislature.

Q. (Handing another paper to witness.) Did you see this circular in circulation in your county prior to the election?—A. There were so many circulars circulated in our county that I have got that sort of mixed up. I expect though I saw this circular.

Q. I will ask you if it was not extensively circulated among the colored people?—A. I cannot state as a fact it was. We have only about forty or forty-five colored voters in our county. You ask me if this was circulated generally among the colored people. I will state that the colored people mostly in our county are uneducated and cannot read. I suppose it was read to them by other parties.

Mr. VANCE. We want that circular to go in also.

By the CHAIRMAN:

Q. Do you say that you saw that circular?—A. No, sir; I don't swear positively that I saw that circular. I will swear this, that probably I saw that circular; I don't say that I did or did not.

The circular is as follows:

An address to the colored voters of the State of Virginia.

THE RECORD OF THE BOURBON-DEMOCRATIC AND LIBERAL-READJUSTER PARTIES CONTRASTED—WHAT THE LEADING, MOST INFLUENTIAL, INTELLIGENT, AND REPRESENTATIVE COLORED MEN OF VIRGINIA HAVE TO SAY TO THEIR PEOPLE.

Read and circulate.

Citizens of Virginia:

We hope that our acquaintance with you, and our well-known interest in every measure, every aim, and every cause which has for its end the prosperity of Virginia and the bettering of the condition of all of her citizens, will be a sufficient apology for thus addressing you at this late day in the present canvass. But remembering that on the 6th of November you will be called upon to decide by your ballot—so far as that ballot can decide—which of the political parties in Virginia—Bourbon-Democrat or Liberal-Readjuster—shall control the destinies of this State for the next two years, at least, we ask you to pass with us, for but a short while, over the records of these two parties. In this we do not include those nondescripts called Straightout Republicans, for they have no party allegiance, either State or national, except that of being assistant Bourbon-Democrats, that is serving as tools for Democratic trash.

They are neither the bosses nor the middlemen; they are neither the gun nor the charge of powder; but they serve as a kind of touch-stick to fire off Democratic charges—their Chinese stink-pots. They have no principle, no creed, no cause, except in the interest of the man or men who would put up the largest pile of money for their personal service. As to those people, we turn from them with the same feeling of disgust that a man would close his door against an angry pole-cat. But still, the question arises as to which of the two parties the colored men of Virginia should give their support. Just here we beg to differ very materially from Messrs. J. B. Syphax and W. J. S. Bowe, who said, in their recent address, that the "colored people owed allegiance to no party any more than any other people." We do, for we are not as intelligent, nor as strong, financially, as any other people. We are just out of slavery; we are struggling upward; we need friends. And our allegiance, future prosperity, financially, intellectually and otherwise, is due to the party and the people who are willing, and who have shown that willingness by their acts, to give us the

SAME CHANCE IN THE RACE OF LIFE THAT OTHER MEN HAVE.

And if we think, for a moment, of what the Democratic party has done and is doing to-day, we may be well assured of the fact that we cannot look to them for succor and aid, for that party has lost no opportunity to oppress us; to disfranchise us by means of the whipping-post, the prepayment of capitation taxes, and other class legislation. Indeed, the Democratic party, to-day, is the same old party that we have had to confront since the end of the war. The only difference in them then and now is that to-day they are smarting under repeated defeats by the Liberal-Readjuster party. They then had power; they were aristocratic, arrogant, imperious. They were engaged then in enacting such legislation as the establishment of the whipping-post for the special punishment of colored voters. They were making petit larceny an offense, for the commission of which even the smallest boy would be disfranchised forever. The whipping-post was an easy road to the disfranchisement of black men who did not know their rights and had not friends to defend them when they were invaded. This hateful system went on, until to-day we have about eight thousand blacks disfranchised. They were engaged in closing the schools against our children, in taking the money appropriated by the laws of the State to public education, and using it for other purposes, until \$1,500,000 were taken from the children of the State and given to the bondholders, who neither knew nor cared for the condition of our people.

THE READJUSTER PARTY

grew out of the mass of disorganization and mismanagement of the Democratic party; indeed, they are what may be called the law-respecting element of what was the former Democratic-Funder party; they were and are, of course, largely aided by the Republicans of the State. The Readjusters, in the work of restoring the State to her former prosperous and happy condition, have not been unmindful of the claims of their friends. They are not Democrats in the old sense—they are Virginians, and all men, white and black alike, are welcome to their ranks, and all are treated as men.

We know that some will ask,

WHAT HAS THE READJUSTER PARTY DONE?

In answer to this, thank God, we can say that they have done much for Virginia, and in doing this they have not acted for one class of men more than another, but have worked for the benefit of all alike. They found Virginia poor, down-trodden, and oppressed. They have begun to make her strong, independent, and rich. They found her with a debt of over \$31,000,000. They settled that debt, after deducting West Virginia's share—one-third—upon a fair and honorable basis, at \$21,000,000. They found the whipping-post—a relic of the barbarous ages, the savage state of society, a Funder institution in our State. They wiped it away as the morning sun melts the dew-drops from the grass. They found that a man was compelled to pay \$1 before he could vote, and in many instances he could not find the Democratic tax collector when he wanted to pay this tax to vote, if the collector knew that he was not going to vote his way. And the Readjuster party said that this requirement before voting was wrong, and that a man should be allowed to vote and pay his taxes when he got able. So they wiped away that requirement which in former years, by Democratic manipulations, had disfranchised thousands of colored voters, and they made us free once again.

They found that our lunatics were kept in barracks which had been left as a relic of the war, and now little better than horse stables. So they said this was wrong, and they gave us \$100,000 to build an asylum for the care and protection of our insane, and \$56,000 annually for the support of this institution. They found that there were several colleges in the State for the higher education of white young men and

women, supported in whole or in part by State funds, and none for the colored people: so they appropriated \$100,000 for the building of a college for the education of our sons and daughters, and put the management and control of this institution entirely in the hands of colored men, and to-day that institution is open, with a competent corps of colored teachers, and though it has only been open since the first of October, there are now more than one hundred young colored men and women there drinking from the fountain of knowledge, preparing themselves for teachers, lawyers, and doctors, to work among and educate our children for the duties of life. They found that we had no representation in the various State offices at Richmond, and they gave us the messenger to the governor, in the person of a colored man. They gave us a colored man as clerk in the first auditor's office, and another bright-eyed, smart colored youngster as clerk in the second auditor's office.

They gave us fifteen colored men as guards at the State penitentiary. They gave us a colored man as assistant postmaster at Norfolk, and in the Federal offices we have more colored men than ever before. They have given us colored men as members of school trustee boards. They have given us colored men as jurors. Now, we pause to ask if this is not a good showing for that party, and if you do not think it your duty to give it your earnest and hearty support? We think we hear the answer, "Yes," from every true man.

We have now drawn a short comparison between the two parties. We have not the time, and if we had we would not tax your patience to follow us through the entire record of the two parties. We think that we have shown enough to confidently ask your support for the Readjusters in this contest, and we feel that you will give it. We consider it to be the imperative duty, and we earnestly recommend that every colored citizen of Virginia actively support, and on election day vote for the Coalition nominees for the legislature. If you do, we assure you that at sundown on the 6th of November the telegraphic wires will flash the news throughout the land that "Funderism has sustained another crushing defeat."

W. N. STEVENS,
D. N. NORTON,
J. R. JONES,

State Senators.

PETER J. CARTER,
REV. WILLIAM TROY,
W. H. PLEASANTS,
R. L. MITCHELL,

Visitors to the Virginia Normal and Collegiate Institute.

A. W. HARRIS,
SHED. DUNGEE,
LITTLETON OWENS,
GUY POWELL,
E. D. BLAND,
ARMISTEAD GREEN,
ROSS HAMILTON,
DABNEY SMITH,
R. G. L. PAIGE,
ARCHIE SCOTT,
ROBERT NORTON,

Members of House of Delegates.

W. H. FERGUSON,
R. T. TANCIL,

Physicians at Central Lunatic Asylum.

JOS. P. EVANS,
R. W. SMITH,
RUFUS JONES,
GEORGE FAVERMAN,
P. G. MORGAN,
J. W. POINDEXTER,
P. K. JONES,

Ex-Members of the Legislature.

John H. Hill, Peter B. Ramsey, Douglas Johnson, W. W. Evans, E. L. Stokes, J. Monroe Smith, J. A. C. Stevens, M. W. Morton, R. H. Hampton, W. F. Jackson, Robert Claiborne, John J. Cain, Simon Walker, Beverly Younger—of Petersburg.

Gabriel Hill, Henry King, Edward W. Brown, Charles Dempsey, James Chavers, William H. Harrison, Peter Brown—of Prince George County.

Booker Ellis, George Matthews, Herbert Mallory, Edward Dance, Allison Hewlitt, Alfred Green, A. W. Walker, Rev. Henry Madison, Andrew Jones—of Dinwiddie County.

J. W. Payne, D. F. Batts—of Danville.

Jos. C. Davis, James Thurman—of Pittsylvania County.

J. Peter De Haven, J. Muse—of Franklin County.

G. W. Jackson, H. Clay Harris—of Halifax County.

George Sheffield, Reid Pannill—of Henry County.

James Staples, H. Stoops—of Patrick County.

J. H. Davis, George Calvin—of Roanoke City.

Moses Spurlock, of Salem.

John Stith, James T. Hamlin, George W. Claud, Rev. Joseph Gregory, Scott Wood, George Saunders, Henry Johnson, A. J. Crocker, Peter Chappell, W. H. Diggs—of Southampton County.

William A. Bond, Jordan Thompson, Robert A. Lee, Garrison Cross, George W. Worrell, E. Copeland, Jackson Reid, P. Hampton, Colin Hall, Exum White, Joseph Griffin—of Nansemond County.

J. Anderson Taylor, Josiah Crump, R. A. Paul, S. B. Clarkson, E. A. Randolph, Collin T. Payne, James H. Jones, Lewis Lindsey, E. Thompson—of Richmond City.

A. W. Clarke, nominee for legislature, Horace Slaughter, A. J. Robinson, G. H. Cook, Frank Scott, W. H. White, Timothy Hudson, W. T. Taylor, William Davis, Andrew Jackson, Jacob S. Pleasants, John J. Harris—of Goochland County.

R. R. Alexander, of Lexington.

Stewart M. Lewis, Joshua Webster—of Montgomery County.

George M. Arnold, of Charlotte County.

Anthony Clements, Joseph Mead—of Sussex County.

M. R. De Mortie, of Nottoway County.

Samuel P. Bolling, of Cumberland County.

N. M. Griggs, nominee for legislature, of Prince Edward County.

Cæsar Perkins, of Buckingham County.

Amos Dodson, nominee for Legislature, of Mecklenburg County.

Samuel Davis, John Miller, Isaiah Wilkins, John Winslow, Nelson Proctor, Jeffrey T. Wilson, D. Johnson, Samuel Wilson, Nelson Carney, Elias Bouldin—of Portsmouth.

E. W. Williams, W. H. Palmer, George Johnson, M. D. Meekins, J. J. Frazier—of Norfolk City.

Jacob E. Reid, Miles Conner, James Norcum, J. W. Smith—of Norfolk County.

Lewis Harris, Frank Davis, Amos Dickerson—of Henrico County.

Andrew Willians, Robert N. Bailey, Rev. William Thornton, Rev. William P. Davis, Rev. Young Jackson—of Elizabeth City County.

Samuel Harris, Elijah Smith, George Potts, Robert Jones, James Wilkinson—of James City County.

Major D. Wright, William H. Lee, Charles Brower—of Warwick County.

R. F. Robinson, W. R. Harris, York Morris, Rev. J. R. Clark, Louis Williams, Cornelius Green—of Hanover County.

Samuel Cotterman, A. Q. Franklin—of Charles City County.

William T. Jefferson, of New Kent County.

Irving Griffin, of Princess Anne County.

Rev. Walker Howard, J. Williams—of Fredericksburg City.

N. Washington, Lloyd Quisenberry—of Stafford County.

M. J. Hyde, Rev. J. Minor—of Spottsylvania County.

Robert Beverly, J. H. A. Cyrus, Joshua Hailstock, Robert Wright, William Woolfolk, Anthony Pierce—of Caroline County.

J. J. Fisher, W. A. D. Taylor, L. T. Jackson, Burwell Edwards, Arthur Branch, A. W. Bradley—of Greensville County.

Walter Watkins, Alexander Swann, B. Holloday, Humphrey Austin, Richard Scott—of Wythe County.

Thomas Washington, David Griffin, James Fitch—of Matthews County.

George Yates, Albert Lockley, Jasper Lee—of Gloucester County.

Charles Palmer, Thomas Trent, George Sanderson—of Cumberland County.

T. A. Harris, Rev. Nelson Jordan, Rev. John White—of Prince Edward County.

Andrew White, Archer Robinson, Robert Driver, William Larrimore—of King and Queen County.

William Maxwell, William H. Brown, Rev. Richard Henry, Rev. W. Henry, Rev. Andrew Nelson, Rev. Jesse Dungy, J. J. Carter, professor at Normal and Collegiate Institute—of King William County.

C. C. Miller, Aaron Stokes, R. Baxter Guy, J. W. Tucker—of Nottoway County.

William Smith, Samuel Bolling, John Stokes, Caswell Hatchett, G. M. Jennings, Alexander Cheatham, John W. Smith, C. H. Hepburn, T. D. Tucker—of Lunenburg County.

Jos. T. Wilson, of Norfolk City.

Thomas Brooks, nominee for legislature from Norfolk County.

Peter Cobb, John Crocker, Neverson Cobb—of Southampton County.

Stith Parham, N. W. Cayple, R. H. Lewis—of Sussex County.

J. Hudson Riddick, Frank T. Ware—of Staunton.
 Frank Payne, Meredith Meade—of Augusta County.
 John Dickerson, Henry Cash—of Albemarle County.
 George E. Clarke, of Amherst County.
 James Grimes, Edward Scott—of Alleghany County.
 Fields Cook, A. F. Parker—of Alexandria City.
 Charles Gaskins, of Alexandria County.
 William B. Bee, William Jones—of Bath County.
 Abraham Beck, J. G. Green—of Bedford County.
 A. J. Weems, of Botetourt County.
 John Averett, Z. T. Langley—of Lynchburg.
 J. C. Orr, Charles H. Edmunds—of Campbell County.
 James Jackson, Henry Lightfoot—of Culpeper County.
 Charles Tinner, James Payne—of Fairfax County.
 William Webb, of Frederick County.
 Rev. J. H. Hines, of Fauquier County.
 Spencer Gilmore, of Greene County.
 Jackson Leo, C. D. Meekins—of Highland County.
 John Schipis, J. E. Jenkins—of Loudoun County.
 W. H. Taylor, of Madison County.
 John Woods, Daniel Speers—of Nelson County.
 M. Kenny, Lucas Marion—of Orange County.
 Marshall Robinson, of Page County.
 Daniel Russell, C. P. Grigsby—of Rappahannock County.
 Thomas Hughes, Benjamin Bradford—of Rockingham County.
 William Drummond, Robert Alexander—of Rockbridge County.
 Paul Briggs, Newton Morgan—of Shenandoah County.
 William Hudson, Charles H. Thompson—of Warren County.
 Carter Trent, William Williams, Richard Foster, Jackson Scott, Jack Fund, T. T. Venable, George Washington, Frederick Drew, Albert Randolph, George Morris, Humphrey Crump, Daniel Byrd, Albert Taylor—of Powhatan County.

C. A. HERRMANS sworn and examined.

By the CHAIRMAN :

Question. Where do you reside?—Answer. Blacksburg, Montgomery County, Virginia.

Q. Is that in Southwest Virginia?—A. Yes, sir.

Q. What is your occupation there?—A. I am editor of the Blacksburg News.

Q. Is that a Readjuster paper?—A. Yes, sir.

Q. When did you first see the Danville circular, headed "Coalition rule"?—A. I saw that circular in Petersburg) probably ten or twelve days before it was circulated; I suppose that would be nearly a month before the election. I don't remember the dates, but I saw it before it was circulated in our county.

Q. Was it circulated in your county?—A. Yes, sir; very largely.

Q. How extensively?—A. Well, sir, at that time I was canvasser for the Readjuster party, and I canvassed the county there very closely; made, I suppose, some ten or twelve speeches, and I never found any portion of the county but what I met that circular.

Q. What was the effect of that circular upon the canvass that was going on in drawing the color line or otherwise?—A. Well, sir, it had that effect to draw the color line in our county, and I thought very damagingly to our party.

Q. When did you first hear of a Danville riot; rumors of one, or news?—A. Monday morning was the first I heard of it at Blacksburg. I live about nine miles from the railroad.

Q. In what form did you see it?—A. My recollection now is, the Lynchburg News.

Q. A Democratic paper?—A. Yes, sir.

Q. Can you give the general purport of that statement; how about

the number of killed and wounded?—A. No, sir; I couldn't say. I don't remember.

Q. You cannot remember. What was the general effect upon your election of the Danville circular, and also of the news of the riot in Danville, according to your best judgment and information?—A. As county canvasser I had copied every solitary list at every precinct in the county, and my judgment, three weeks before the election, was that we would carry the county—the exact figures made it 94 majority for the Readjusters. We lost it by about that number.

Q. To what do you attribute that change in the vote?—A. To the Danville circular; to this "Coalition rule in Danville" circular.

Q. Did you hear any Democratic speeches in your region?—A. Yes, sir. I met in discussion, I think, four or five different speakers.

Q. And you discussed together, did you?—A. Yes, sir; joint discussion.

Q. What was the general burden of their speeches—the general topic of their speeches?—A. It was almost entirely on the race issue. Mr. Floeger, who is the chairman on the other side, met me in discussion twice. He read this circular—(Coalition rule). I am not so positive about the first discussion I had with him, but the last discussion I had with him he read that, and appealed to the people and appealed to me that if I had a white face and a white heart to stand by my race and color.

Q. That circular then was the general topic of the speeches?—A. Yes, sir; in the last week or ten days of the canvass. Of course, that was not used in the earlier part.

Q. Was the riot talked about; you didn't hear of that until Monday, I suppose?—A. No, sir; I didn't hear of the riot until Monday.

Q. Was it talked about?—A. It was talked about at my precinct on election day. You see election day followed directly after and there were numbers of telegrams, and they were posted up on the side of the house where we voted—telegrams from Danville.

Q. What was the purport of those telegrams?—A. Simply stating that there had been a riot there. I don't know exactly. I tried to find some of those telegrams.

Q. Do you remember a telegram purporting to appeal to the white people because they were standing at their doors and defending their homes, something like that?—A. I don't remember such a one.

Q. Don't remember that language?—A. No, sir.

Q. What was the general purport of those telegrams?—A. It was simply giving an account of the riot there; I don't remember.

Q. The riot between who?—A. Between the whites and blacks.

Q. Did they say anything about white men being killed or wounded, or do you remember?—A. I cannot remember the language of the telegrams; I can only remember that those telegrams were there and were pasted up. I think there were three, probably.

Q. Did the Democrats make the transaction at Danville conspicuous news to all around?—A. Yes, sir.

By Mr. VANCE:

Q. Did you see anything of another circular issued from Readjuster headquarters calling upon the colored people to come out to the polls and avenge the murder of their race?—A. I did not.

Q. Never saw that at all?—A. No, sir; not during the campaign.

Q. You saw it afterwards, didn't you?—A. I think I have seen such a circular somewhere since; I am not so certain about that.

Q. Of course it was issued before the election; it wouldn't have been any use to issue it afterwards?—A. No, sir.

Q. But you didn't see it, you say, before the election?—A. No, sir.

Q. What position do you hold under the Government or the State of Virginia?—A. I hold no position under the State, as I understand it; I am an officer in the Virginia Agricultural and Mechanical College.

Q. What position is that?—A. Treasurer.

Q. When were you appointed there?—A. Last July.

Q. Who appointed you?—A. I was elected by the board.

Q. Who appointed the board?—A. The legislature of Virginia.

Q. That was Readjuster at that time, was it not?—A. Yes, sir.

Q. Well, the board was Readjuster also, wasn't it?—A. Yes, sir.

Q. Well, a short while before that you were what they call down there a Funder, were you not?—A. Yes, sir.

Q. An active rip snorting one?—A. Well, I don't know about the rip snorting, sir.

Q. About what time did you get over?

The CHAIRMAN. Get over what, I did not hear?

Mr. VANCE. Get over into the Coalition ranks.

The WITNESS. He wants to know what time I went into the Readjuster party. I wrote a leader the next day after the Daniel and Cameron campaign in which I determined to hereafter work with the Liberal party of that State.

By Mr. VANCE:

Q. Well, you didn't desert it because it was beaten, did you; because it was then defeated?—A. No, sir.

Q. That had no influence with you?—A. No, sir.

Q. You say you saw the Danville circular in Petersburg something about a month before the election?—A. I cannot say positively as to the time, but some time before the election—probably ten days; it was something like ten days before it was circulated.

Q. Then, I understand you to say it was probably a month before the election?—A. Probably it was; I don't know the exact time.

Q. You say the effect of that Danville circular was to draw the color line?—A. I thought so.

Q. What is your county in which Blacksburg is situated?—A. Montgomery.

Q. And that it was damaging to the Readjuster party?—A. Yes, sir; I thought so.

Q. You say you had made your calculations and thought you ought to have had your county by 94, and you lost it by about that?—A. Yes, sir.

Q. Is there anything unusual and extraordinary in a man's being knocked out in his calculations about an election?—A. Not at all.

Q. That might have happened if the Danville circular had never been issued, might it not?—A. It might have happened, sir.

Q. A man changes his mind sometimes?—A. Certainly.

Q. I will ask you if the Readjuster party did not poll more votes at that election than they had ever done before in that county?—A. Yes, sir, I think they did, a few more.

Q. Don't you know that the Democrats also claimed the county several weeks before the election—before the Danville riot had occurred?—A. I heard large numbers of Democrats say that they were going to carry the county, yes, sir. I don't know how it was officially claimed, anything of that sort.

Q. Didn't your people, your party friends, boast after the election on the big vote you had polled there against all adverse circumstances?—A. Oh, yes.

Q. And write in the papers about it?—A. I claimed it myself, sir. I thought it was wonderful to get the vote we did under the circumstances.

HARTWELL ALDEN sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Carroll County, Virginia.

Q. How far is that from Danville?—A. It is about 115 or 120 miles, I think. I don't know exactly.

Q. That is Southwestern Virginia?—A. Yes, sir.

Q. Did you see the Danville circular?—A. I did.

Q. When was that first circulated in your county?—A. I think it was about two nights before the election. It seemed to have found its way all over the county in the night. I think two nights before the election; probably it was three nights, on Saturday night.

Q. You say it was generally circulated?—A. Generally circulated all over the county, so far as I saw, and I traveled all over the county. I saw a great many of them.

Q. What was the effect of that circular in your election?—A. Well, sir, I think it made a considerable difference in the county vote.

Q. Which way?—A. In favor of the Democratic party, of course.

Q. And against the Readjusters?—A. Yes, sir.

Q. How did it produce that effect?—A. Well, it was an appeal to the people, from the white people of Danville to the white people of Carroll to support the Democratic candidates to avoid negro equalization, negro supremacy, and so on. That is my recollection of the purport of it.

Q. It drew the color line?—A. Yes, sir.

Q. White men to vote the Democratic ticket and the colored the Readjuster?—A. Yes, sir.

Q. I will ask you if you are in Colonel Cabell's Congressional district?—A. I am in his district.

Q. Have you ever heard Colonel Cabell in speeches or otherwise; did you hear Colonel Cabell make a speech?—A. No, sir; I did not. I may have heard a little portion of his speech. It seems to me I did, but it was so crowded I couldn't hear what was said.

Q. You cannot give what he said then?—A. No, sir; I cannot.

Q. When did you first hear of the Danville riot?—A. I think it was the day after the election; Wednesday after the election on Tuesday.

Q. Your county then is not on the railroad, is it?—A. No, sir; it is about 30 miles; it is 22 miles to the court-house, the nearest point to the railroad.

Q. Can you state about how many votes the Readjusters lost?—A. I should think, I cannot, of course, be accurate—I think it made a difference of over 200.

Q. It made a difference of over 200?—A. I think so.

By Mr. VANCE:

Q. You think it made a difference of over 200 votes?—A. I think so.

Q. Of course that is only your surmise?—A. Yes, sir.

Q. You didn't poll the people to ascertain individually what each one thought about it?—A. I did not.

Q. What is the number of colored votes in Carroll County?—A. The last time I noticed there was only 64. That's my recollection of it.

Q. How did they generally vote?—A. Well, we are not positive as to how they voted. We think we usually as Republicans get three of them—of the 64, but the last election we claimed we got nine.

Q. They generally vote with the Democrats then?—A. Vote the Democratic ticket; yes, sir.

Q. What use was there drawing the race issue if the colored people were on the Democratic side?—A. To assist in carrying the State of course.

Q. What use was there in your county?—A. Our county was appealed to to help the white people of the other counties.

By the CHAIRMAN:

Q. Yours was a white county?—A. White county; yes, sir.

By Mr. VANCE:

Q. As a general rule the colored people in the State vote all one way pretty nigh, don't they?—A. I cannot say; I suppose in the eastern part of the State most of them vote the Republican or Coalition ticket, but in the western part I suppose most of them, especially in such counties as Carroll, Grayson, and Floyd, where there are very few of them, most of them vote the Democratic ticket. I know that's the way in Carroll.

Q. What position do you hold under the Government?—A. I cannot say that I hold any. I have been deputy marshal for the last fifteen years, I suppose, until my commission expired about a year and a half ago. I don't hold any Federal position.

Q. Have you ever been in the internal revenue?—A. Yes, sir.

Q. What position did you hold in that?—A. I was deputy collector at one time.

Q. Carroll is a Democratic county, isn't it?—A. Yes, sir.

Q. What is the usual majority?—A. The majority has usually been from about 600 to about 900, I think; I am not sure.

Q. Ranged from 600 to 900?—A. Yes, sir.

Q. What is the total voting strength of the county?—A. The last time in Carroll, if I recollect right, we voted a little over 2,300.

Q. And the Democrats usually had from 600 to 900 majority out of that number?—A. I think so. Well, at the last election for the legislature in my county I believe there was a majority of a little over 100; that is the election prior to the last one.

Q. What was the last election?—A. I think it was about 300; a little under or a little over.

Q. Then the Democrats did not come up to the usual majority, did they?—A. Well, they come up nearer than they did at the election prior to that.

Q. You say the Democratic majority is usually 600 to 900, and they did not get but about 300 at the last election?—A. Well, two years prior to that the majority was only 143.

Q. That small majority that year occurred by two candidates on the Democratic side being in the field, didn't it—split the majority up?—A. I think not; I don't think there were but two.

Q. What was the relative strength of the vote of the two parties in your county at the last election; did they fall below or rise above their usual party vote?—A. They went a good deal above their usual vote.

Q. Both sides, did they not?—A. Yes, sir.

Q. Now, with reference to the effect of this circular: Did it have any effect, as far as you could see, except to make the white men more zealous to bring out their strength; did it change men from one side to the other, I mean, or just bring out their strength?—A. Oh, yes; there were a good many men said—I heard it myself—that, as it had become a fight between the races, they would have to go back to the Democratic ranks. They had been zealous workers on the Readjuster ticket. In fact, some made that remark to me.

Q. In fact, it did make them zealous to bring out their strength, both sides?—A. Well, I suppose it did.

Q. Ordinarily there is a very large per cent. that stay at home on both sides?—A. Never knew of many Democrats to stay at home.

Q. Never knew of many?—A. No, sir.

Q. I wish that was so in my county.—A. It is certainly so in mine.

THOMAS J. LASSITER sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in Norfolk.

Q. What is your employment?—A. I am a passenger conductor on the Norfolk and Western Railroad.

Q. I want to ask you if you heard, towards the latter part of October, anything about a riot at Danville, that had occurred or was expected?—A. Well, sir, on the Sunday morning of the 28th of October, as my train came down from Lynchburg, that I was in charge of *en route* to Norfolk, at several stations on the road I heard questions asked; I couldn't tell you to save my life who asked them, but I heard them asked by a good many people—about a riot in Danville the day before. I was asked myself by several, "What about the riot yesterday?"

Q. That was Saturday, the 28th?—A. That was on Sunday. I told them there had been no riot in Danville, and I had not heard of any riot in Danville, and there seemed to be a great press to get at the news-boy to get the papers about the riot in Danville the day before, and I know at three different stations that question was asked by various people, but who asked them I couldn't tell you to save my life. At one of the stations, I think at Farmville, a little town of about 3,000 people, it was asked again, and I asked the question myself. Says I, "What is the matter with you people talking so much about a riot in Danville? There has been no riot in Danville." Some man stepped up—I don't know who he was—and made the remark, "I know there has been a riot in Danville;" and I don't know whether he made the remark that there were eleven negroes, or eleven people killed, but that was the remark that was made. I asked when was it that it took place, and heard them say, "Yesterday about 3 o'clock." That was the last I ever heard of it, and I don't suppose it would have ever come into my mind if the riot had not taken place the Saturday afterwards. In starting off from Farmville, as I stepped up on the baggage car to start the train, the telegraph operator came out, and, being the agent at the depot, I asked him what about all the talk about the riot in Danville. "Have you heard anything come over the wire about it?" He said, "Not a word, only it is a general rumor all over the town; that is all I know about it." I don't know who the people were who were talking; I never paid any attention, and couldn't say one of their names to save my life.

Q. When did you hear of the real riot that occurred?—A. It was on Sunday morning, on the 4th of November, a gentleman was reading the paper, an old friend of mine who was down to the Bay Line boat—that

was at Norfolk—and he picked up one of the Norfolk papers and remarked to me “Captain, I see they have had a riot in Danville,” and I laughed and said, “they had one last Saturday, and it didn’t amount to anything,” and the conversation stopped there. I didn’t even think then there had been a riot.

Q. That was on the Sunday before the election?—A. Yes, sir; that was Sunday, the 4th of November.

JOHN CLUBB (white) sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Fairfax. There is my home place. I don’t exactly reside there now. I have moved my family into Washington, but that’s my home place.

Q. Where were you on the 3d of November?—A. In Alexandria.

Q. Whereabouts?—A. In the market.

Q. What time in the day were you there?—A. I was there in the morning; in fact, I was there all day.

Q. I will ask you whether you heard on the morning of the 3d any rumor or news about a riot in Danville?—A. I did hear it rumored through the market. People talking, you know; did not see any account in the papers.

Q. How are you able to fix the date?—A. Well, I fixed the date because it was the Saturday before the election.

Q. You remember that?—A. Yes, sir.

Q. What was the purport of the rumor you heard in the market?—A. I heard only that it was a riot in Danville between the whites and colored people—just rumored through the market.

Q. Did you hear how many were killed, or any particulars?—A. No, sir; I did not.

Q. What was the effect of this rumor upon the people there?—A. Well, it did not seem to have a great effect at that time—not just at that time. They were talking considerable, and it did not seem to raise much excitement; not a great deal; some little excitement.

Q. When did you hear of the actual riot?—A. I heard of that after election. I don’t know exactly what day, but it was after election before I heard of it.

By Mr. VANCE:

Q. What time in the morning was it, Saturday morning?—A. It was from 9 until 12 o’clock, somewheres along there, between those hours.

Q. Who did you hear it from—colored or whites?—A. No, sir; I heard it from whites generally through the market, you know.

Q. Are there not colored people in the market?—A. Yes, sir, some colored people in the market.

Q. Can you give the names of any white men who told you about it?—A. I don’t know as any of them told me about it, I only heard them talking.

Q. Can you give me the name of any one you heard talking?—A. I don’t know that I could; I didn’t pay much attention at the time, and never thought about since.

Q. May be you are mistaken altogether in hearing any party mention that there was a riot?—A. No, sir; it was all through the market talking, and I might probably think of a good many names. I could think of them, may be, after awhile. Haven’t thought of any names. Didn’t think I would ever be called upon to say anything about it.

WASHINGTON, D. C., *Friday, April 4, 1884.*

A. P. CALFEE sworn and examined.

By Mr. LAPHAM :

Question. Where do you reside?—Answer. Wytheville, Va.

Q. How far is that from Danville?—A. About 200 miles.

Q. What was your business in November last?—A. I was a railway postal clerk then.

Q. On what road?—A. I went on the Norfolk and Western and Shenandoah Valley road between Bristol, Tenn., and Waynesborough, Augusta County, Virginia.

Q. Running through counties where the population was mainly white people?—A. Yes, sir.

Q. What did you observe, if anything, as to drawing the race issue in these localities?—A. Well, sir, as the canvass wore on it was drawn more and more by the Democratic party, and became finally, at the last, almost the whole and sole issue there.

Q. Through these counties?—A. Yes, sir.

Q. At what time, if at all, did you see the Danville circular?—A. I saw it, I believe—I saw copies of it, I believe, the day before the election and the day of election.

Q. What effect did that have?—A. Well, sir, it had a very decided effect on the white Coalitionists—very decided.

Q. When did you hear of the Danville massacre, as it is called?—A. I believe I heard it on Sunday afternoon.

Q. What was the report that reached there?—A. I was in Bristol that day, and the report reached there that there had been a fight and two negroes killed, and one white man, I believe; that was just a rumor.

Q. Was there any report as to whether the negroes were continuing the violence?—A. No, sir.

Q. What did you hear Democrat say after the Danville circular reached there as to what they thought the duty of the whites?—A. The general sentiment among them was that the whites should stand together in the war of races.

Q. Stand by their race?—A. Yes, sir.

Q. Did you know the telegraph agent at Lynchburg?—A. Yes, sir; I knew several of them.

Q. Do you remember hearing anything said by one of them a short time before the election?—A. Yes, sir; about Monday or Tuesday before the election, I don't remember which.

Q. The week before, you mean?—A. Before the riot, I mean—the same week of the riot. I was sitting at a table at a hotel in Lynchburg and I heard Mr. Snead, who was manager of the Southern telegraph office there, in conversation with a friend about the canvass; said it was getting very hot—"red hot," he says, "in Danville." He says, "I heard an order go through this forenoon ordering so many dozen pistols."

Q. How many?—A. I did not hear the number, though I thought he said eight dozen. I am not sure about the number.

Q. An order from Danville to whom?—A. Danville to a Northern house.

Q. To a Northern house?—A. Yes, sir.

Q. That, you think, was the fore part of the week of the riot?—A. That was, I think, either Monday or Tuesday before the riot. I think Monday.

Mr. VANCE. I call your attention to the fact that this is second-hand hearsay. This man says he heard another man say that he heard the order.

Mr. LAPHAM. No; he heard the dispatch over the wire.

Mr. VANCE. No; this gentleman did not hear the dispatch, but he heard a man say that he heard the dispatch.

Mr. LAPHAM. Yes, he heard it; he was a telegraph operator, wasn't he?—A. Yes, sir.

Q. Was he a Democrat?—A. Yes, sir.

Mr. VANCE. Do you think that is competent. Let us have that question decided.

Mr. LAPHAM. Yes, I think that is in the line.

Mr. VANCE. Well, I want that as a precedent; I have got some questions to ask myself.

Mr. LAPHAM. Well, the telegraph agent gave him the information that he heard this dispatch go over the wire. I think that is competent; do you want to put it upon any ground, or do you simply object?

Mr. VANCE. No, I just want it remembered so that it will be a precedent, for I have got a few questions to ask myself.

Mr. LAPHAM. That is right, sir.

Q. Did he say anything further in that connection?—A. The conversation was continued a little while longer, but I could not hear it distinctly; he was across, he was not exactly opposite me; he was at another table in the room.

Q. You belonged at that time to the Readjusters, as they are termed?—A. Yes, sir.

Q. Had you been a Democrat before?—A. Yes, sir; a Democrat until the organization of the Readjuster party in Virginia.

Q. Now I will ask you the question that was asked witnesses on the other side yesterday; why did you leave the Democrats and join the Readjusters?—A. Well, sir, I considered their mode of treatment, particularly of the white Democrats—I considered their mode of treatment as such that it was such as convinced me that the Democratic party was not what it professed to be.

Q. What do you say for the Readjuster party; what were your convictions in regard to their policy in politics in Virginia?—A. Well, sir; I think they were right and proper.

Q. For giving all races their rights?—A. Yes, sir; every man is right to vote the way he thinks without let or hindrance.

Q. Did you hear any counseling toward violence on the part of the Readjusters?—A. No, sir.

Q. Did you hear any of the speeches in the canvass?—A. I heard a speech made by Governor Cameron at a barbecue, 8 miles from Bristol, in the county of Washington.

Q. What counsel did he give, I mean as to orderly and peaceable conduct?—A. That was not referred to in this speech; he just simply spoke on the issue aside from the race issue; he referred to the race issue, said that the other side was making that an issue, and did not consider it had any foundation in fact.

Q. Where are you living now?—A. I am living at Wytheville; I am doing business 14 miles from Wytheville.

Q. You have left your mail service?—A. Yes, sir; I resigned the 31st of last December.

Q. In what business are you now?—A. I am superintendent of the iron works near Wytheville.

By Mr. VANCE:

Q. You say you left the Democratic party because you found it was not what it professed to be?—A. Yes, sir.

Q. You joined the Coalition party because it was what it professed to be, did you?—A. I thought so.

Q. Well, what did they profess to be?—A. I first joined it on the issue of the State debt, because I thought their plan of the settlement of the State debt was a just and proper one.

Q. Well, what do they profess to be now?—A. Which, the Readjusters?

Q. Yes.—A. Well, the issue is changed since then; the debt I do not consider settled yet; they profess to still——

Q. When will you consider it settled; has there been any appeal taken from the Supreme Court of the United States?—A. Not that I know of. It will be settled when all the bonds are funded under the Riddleberger bill.

Q. It will be settled then?—A. Yes, I will consider it settled.

Q. Then that issue will be dead, will it not?—A. Yes, sir.

Q. What do the Readjuster party profess to be now?—A. They profess to be the liberal party of Virginia, and allow everybody the privilege of thinking and acting and voting as they please.

Q. The Democrats do not allow that?—A. It is a very common practice among a large part of the Democracy of Virginia to stigmatize all who differ with them on State policy as low-down low-flung men.

Q. There is a heap of low-down and low-flung men in that party, are they not?—A. I do not know as any more than belong to the other party.

Q. Well, there is a good many?—A. Of course, I think there is a good many.

Q. Well, that is all they do, just call them those names; do not pass any laws to keep them down?—A. No, sir; have not passed any laws that I know of.

Q. Do the Readjusters use any hard names toward their enemies?—A. The most I have heard is in repelling such things.

Q. Well, they used similar terms?—A. They just repel it in like terms.

Q. Then they are guilty of precisely the same sin as the Democrats?—A. No, sir; they are of a defensive character.

Q. About the time the scales fell from your eyes and you saw this Readjuster light shine in the heavens you saw likewise a route agency hanging thereto, didn't you?—A. No, sir; I was appointed mail agent in 1879, and joined the Readjuster party in 1882.

Q. You had a right smart probation; they were trying you, however, I suppose?—A. No, sir; I was employed under a Democratic administration as railroad agent.

Q. Did the Democratic party run a railroad down there in that country?—A. Yes, sir.

Q. Well, I didn't know it. What railroad does the Democratic party run?—A. At that time they ran the Norfolk and Western Railroad.

Q. Did not the receiver of the court run that road?—A. Yes, sir.

Q. What was he?—A. He was a Democrat.

Q. Who was he appointed by?—A. He was appointed by Judge Bond.

Q. Judge Bond is a Democrat, too, isn't he?—A. No, sir; I have always understood he was a Republican; that is the way we look at it down there.

By Mr. LAPHAM:

Q. He did not live in that State?—A. No, sir.

By Mr. VANCE:

Q. What receiver do you allude to?—A. Maj. Henry Fink.

Q. Is Mr. Fink an active politician?—A. No, sir.

Q. Never took any part in politics, did he?—A. Not that I ever heard of.

Q. Did he undertake to influence your vote while he was in there?—A. No, sir.

Q. Never interfered with your right of suffrage?—A. No, sir.

Q. Well, why do you say, if that was the case, that it was run by the Democratic party?—A. Well, I always understood that he favored the Democratic party, and his subordinate officers were Democrats.

Q. Was he a subordinate officer himself?—A. Who?

Q. Mr. Fink.—A. He was subordinate only to the court.

Q. Was not subordinate to the Democratic party, was he?—A. Oh, no, sir; no, sir; I just simply meant to say that Democrats ran the road. Did not mean to intimate that the party ran the road.

Q. What county is Wytheville situated in?—A. Wythe County.

Q. How many colored voters are there in that county?—A. I don't remember. I believe there is not more than one-third of them, possibly not that many.

Q. Well, in numbers. Five hundred?—A. Yes; I suppose there are, probably a few more.

Q. Do they all vote the Republican ticket?—A. No, sir; I think not. I know they do not.

Q. What proportion of them?—A. I think about probably between two-thirds or three-fourths vote the Republican ticket.

Q. About three-fourths vote the Republican ticket?—A. Something like that. Between two-thirds, probably not over two-thirds.

Q. What proportion of the whites vote the Democratic ticket?—A. The whites I think—well they are pretty well divided. I think probably a majority vote the Democratic ticket.

Q. A small majority, is it not, of the whites at a rough guess; of course you cannot tell exactly?—A. Yes, sir; not a big majority.

Q. Pretty well divided. Well, then, if the negroes, from two-thirds to three-fourths of them, vote one way and a small majority of the whites vote the other way, the colored men draw the color line more than the whites, don't they?—A. Well, I suppose they do.

Q. You suppose they do?—A. Yes, sir.

Q. You say the circular had a decided effect on the white Coalition-ists?—A. A very decided effect, sir.

Q. That is your opinion?—A. That is my opinion, of course. They carried the county by exactly the majority that we think we would have carried it if it had not been for that.

Q. Yes, if you had got votes enough. What was the Coalition vote in that county compared with previous votes?—A. If I recollect right—I have not the vote with me; it was a material falling off from the spring election when the issue was squarely drawn.

Q. A falling off from the majority?—A. Yes, sir; I mean the majority.

Q. But was not the total vote quite as large or larger that election than it ever had been before?—A. Some, but not very much I don't think.

Q. What right have you to think that the increase would have been on your side if it had not been for the Danville circular?—A. Well, sir, we

had an election for county officers in May before. It was a very heated canvass, and the issue was squarely drawn and our candidates were nominated by a mass meeting of Coalitionists, and we elected all our officers; the whole ticket was elected by an average of 200 or more majority on a very full vote. I do not remember how much less the vote was this fall election, but do not think it was very much less.

Q. Now, you carried the county by 200 majority?—A. Yes, sir.

Q. And at the same time you polled fewer votes than you did the next fall, when you lost it by how much?—A. I cannot say; I have not the vote of the county, but I know it was a full vote both times.

Q. I know; but what was the Democratic majority the last time?—A. The Democratic majority, I think, was 291.

Q. Now, the Democrats, then, made their gain by an increased vote, and not by taking away your men, didn't they?—A. No, sir.

Q. How do you know that; you got all the vote you ever got before, and some more?—A. No, sir; I do not think we got the vote exactly.

Q. Why, you say you got more?—A. I mean the proportion of the increase; we did not get our proportion of the increase. I have not the vote with me; I do not know exactly how it is.

Q. There is always quite a number of qualified voters who do not vote, are there not?—A. Yes, sir; but in the spring election——

Q. Who come out on extraordinarily heated campaigns?—A. Yes, sir; but both campaigns were warm.

Q. Now, in this canvass there was nothing said about the riot until the very last moment, was there, because it had not occurred?—A. No, sir; I believe the news reached there—I was not in my native town—but I believe the news reached there on Sunday.

Q. Well, the circular itself was not there long before the election, was it?—A. It was there the day before the election; it was circulated.

Q. Now, I ask you if in the canvass other measures were not discussed, and the canvass made upon them altogether. At that time were not there some Readjuster measures in the legislature that were very violently assailed by the Democrats?—A. There were in the first of the canvass. As the canvass wore on they seemed to drop out of sight, and the race question took its place.

Q. What are your politics now?—A. I consider myself a Republican; I propose to act and vote with that party.

Q. Then you are what you profess to be—a Republican. The men who act with the Republicans still and vote their ticket, co-operate with them in all respects, and still claim to be Readjusters and Coalitionists, are not what they profess to be, are they?—A. Well, I propose to vote with the Republican party as long as they favor our party in Virginia and also maintain the principles they now have.

Q. Well, you say you profess to be a Republican?—A. Yes, sir.

Q. Now, your party does not profess that as honestly as you do, do they?—A. I do not know.

Q. Do not they try to deny it on the stump, and deny that they are Republicans, and try to hold to the Democrats in every way?—A. I do not know that they do.

Q. Did you ever hear one of their speakers say he was a Republican?—A. I do not know that I did.

Q. Did not you hear them deny it?—A. Well, I have denied it last fall.

Q. And probably would before the election?—A. Certainly I would have denied it, and did deny it.

Q. When did you become a Republican, to consider yourself so?—

A. After I saw the tactics of the Democratic party in carrying the election last fall.

Q. That decided you. What kind of tactics now did you especially object to?—A. Well, sir, they got up the race issue, and they worked it as strong as possible, and prepared the mind for this Danville riot, for it to be effective, and when that came it seemed to cap the climax and produced exactly the effect that would have been expected under the circumstances.

Q. Well, your party kept the negroes as solid as they could, did they not?—A. I do not know; we always got all the votes, white and black, we could.

Q. Did not you take particular pains to keep the colored vote solid?—A. I think we worked as hard for the white vote in the southwest as we did for the colored, and harder.

Q. Did not you take particular pains to keep the colored vote solid?—A. We took particular pains with both; not more so than with the white.

Q. Not more so with the colored people?—A. No, sir.

Q. Well, the colored people were nearer solid, you say, than the whites?—A. I think they were.

Q. Do not you think, then, that the party that was nearest solid on the color was the party most to blame for drawing the color line?—A. I don't think so; they had something to do with that themselves; they considered us more their friends than the other party.

Q. And therefore they stood solid. Now, if one side is solid, is there any harm in the other side trying to make themselves solid?—A. Well, they were not solid.

Q. Of course they were not.—A. They were more solid, of course, than the whites.

Q. They were nearly so. I say if one race bands itself together as a race, is there any harm in the other race appealing to its side to band itself together?—A. That depends altogether upon the principles at stake. There was no question of race supremacy at stake whatever; none whatever.

Q. Then, why did the negroes all stand solid?—A. They just supposed that the other side would be more friendly; was more friendly to them than the Democrats.

Q. Do not you suppose the white men thought their own color would be more friendly to them than blacks were?—A. They have not in times past.

Q. I ask you what there was in it to make you change your politics, what was unfair in that?—A. In which?

Q. To stand together, to band together against the black people.—A. There was a division in the white people, and there was no probability whatever of their being negro supremacy in any event, and that is the reason.

Q. Well, the colored people had elected the officers of the whole State of Virginia, had they not?—A. Yes, sir; but they were white men.

Q. I know they were white men, but don't you call that negro supremacy?—A. No, sir.

Q. Suppose the colored people had it in their power to elect all the officers, would not you call that color rule?—A. I think so; yes, sir.

Q. Why certainly. Do not you think they had some of it at Danville?—A. I do, sir.

Q. And you think it is fair for one side to keep banded together and

unfair for the other to do the same thing, and for that unfairness you changed your politics?—A. I think they always ought to look at what is at stake without any reference to the race at all.

Q. Well, the colored people do not do that, do they?—A. You might illustrate that by the fact that a large connection vote together simply because the majority do.

Q. Well, you heard a telegraph operator talking to somebody else?—A. Yes, sir.

Q. And in that talk you heard that operator tell this somebody else that he had overheard a message going over the wires containing an order for some pistols at Danville?—A. Yes, sir; that is the way I understood it—Danville. He did not say Danville, he just said it is red hot in Danville. He added, I heard an order go over the wires this forenoon for so many dozen pistols. He did not say Danville.

Q. What was the telegraph operator's name?—A. Snead.

Q. Do telegraph operators generally make known the messages that pass over the wires that way?—A. No, sir; I am a telegraph operator myself; that is against the rules.

Q. Did he say whether the man who sent the message was a negro or white man?—A. He did not say.

Q. Did he say whether he was a Democrat or Republican?—A. He didn't say.

Q. Did he say whether the pistols were to be used in killing negroes or killing white men?—A. He did not say anything about it.

Q. Did he say who they were to be sold to, or anything about it?—A. No, sir.

Q. He did not say which side had made it red hot in Danville?—A. No, sir; he did not say.

By Mr. LAPHAM:

Q. The one troublesome question in your politics was the proportion of the debt that West Virginia should pay, was it not?—A. Yes, sir.

Q. That complicated the difficulty?—A. Yes, sir.

Q. Now, was not there something in the policy of the Readjusters in respect to the school system?—A. Yes. I always understood that they gave the schools the preference over the creditors. That is, they deemed education of more moment.

Q. And you thought their demand that West Virginia should pay its proportion of the debt was a proper one?—A. I thought they got more than their proportion of the value of the territory in the separation.

Q. Was that ever paid?—A. No, sir; it has never been assessed.

Q. And West Virginia has never yet paid anything, has it?—A. No, sir; not that I know of.

Q. Toward the debt since it was organized into a State?—A. No, sir.

Q. So that the whole of the debt upon the State prior to the carving out of West Virginia remains the debt of Virginia now?—A. Yes, sir.

Q. The colored people, of course, know that the Democrats, as a body, were in favor of the war and opposed to their emancipation?—A. Yes, sir.

Q. And they naturally take ground with the Republicans?—A. Yes, sir; I consider it natural for them to vote Republican.

By Mr. VANCE:

Q. You say that you had always understood that the Democrats preferred the creditors to education?—A. Yes, sir. Well, when they came in conflict, that they proposed to pay the interest on the State debt in preference to the schools.

Q. And you left them because they had rather pay their debts than run a school. They would rather be honest than read and write themselves?—A. No, sir; I did not leave them so much for that.

Q. Don't you know that this school system which is now in existence was established by the Democratic party in Virginia?—A. I presume it was; they were commanded by the constitution to establish it, which was framed by a Republican convention.

Q. Don't you know it was established five years before the constitution said anything of the sort?—A. Yes, sir; but it had gone out of existence.

Q. Do not you know further that nine-tenths of the money that supports these schools is levied by taxation upon the white Democrats?—A. Yes, sir. But I will correct that answer, if you please. I do not know that is the proportion, nine-tenths.

Q. Well, a very large proportion?—A. A large proportion; yes, sir.

Q. I do not want to tangle you in any statement that is not correct. Don't you know the Henkle bill had provided for a certain proportion of the taxation to be set aside for the schools?—A. Yes, sir.

Q. That was during a Democratic administration?—A. Yes, sir.

Q. Senator Lapham asked you if the colored people, also, did not know that the Democrats had fought the war and were opposed to their emancipation. You said yes. You knew that fact?—A. Yes, sir.

Q. Well, I will ask you if a very large proportion of the Readjusters were not in that war?—A. Yes, sir.

Q. And just as much to blame for trying to keep the negroes from being set free as the Democratic party?—A. I reckon they were.

J. C. EGGBOI sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. Culpeper County, Virginia.

Q. How far is that from Danville?—A. About 175 miles or 180; somewhere thereabouts.

Q. Were you at home or about home during the canvass prior to the last election?—A. Yes, sir.

Q. When did you first see the Danville circular, as it is called?—A. I saw them a few days before the election.

Q. Where?—A. I saw them at Culpeper Court-House.

Q. How extensively were they distributed there?—A. They were pretty largely distributed all over there.

Q. What effect did that circular have upon public feeling there?—A. Oh, well, that had some effect, I think, upon opinion.

Q. Did it have any tendency to draw the race issue in the canvass?—A. I think it did.

Q. Where were you on election day?—A. I was at Salem Township. El Dorado is my voting place.

Q. What was the conduct of the whites during that day; what did they say and do with reference to the question, if anything?—A. The day passed off tolerably quiet.

Q. Was there anything said about the disturbance at Danville?—A. Oh, yes; the circulars were passing around, and it was reported that the negroes had risen in Danville and that a good many white people were killed, and so on.

Q. Those stories were circulated there?—A. They were circulated around, yes, sir.

Q. When did the news of the riot reach you?—A. I heard of it on Monday.

Q. Now, what was the effect of this excitement upon the canvass in your locality?—A. I think it had some effect upon the white voters.

Q. Had you ever known the race issue drawn as it was last fall in your State?—A. No, I don't think it was.

Q. Can you say whether it had the effect to change the white people from voting the Readjuster ticket?—A. Oh, I think some, and some did not vote; I think so.

Q. Do you remember of being at any of the Democratic meetings shortly before the election?—A. Well, I was at their speakings, about, sometime, but I never listened to any of their speakings; neither side.

Q. What I was going to ask you whether you heard anything said about the race issue in any of their speeches?—A. No; sir I was generally about there, but never heard any speech made from either side.

Q. What is the name of your precinct?—A. El Dorado, Salem Township; there are two precincts in that township.

Q. Where is Parrish precinct?—A. Evansburg, same township.

Q. Were you there the day of election?—A. No, sir; I was not.

Q. Before?—A. Of course, I was there before.

Q. I mean shortly before; after this circular came out?—A. No, sir; I was not there after the circular was circulated.

Q. You were not there after the news of the riot?—A. No, sir.

Q. You acted in the last canvass, I suppose, with the Readjusters?—A. I did.

Q. What had been your politics before?—A. In the first place I was an old-line Whig. After the war commenced I voted with the Democrats.

Q. Down to what time?—A. Down to the Readjusters came about, then I voted with them.

Q. Now, if there was any reason growing out of the State policy that led to that change I will ask you to state what it was?—A. Well, I voted with the Readjusters on the State issue; on the State debt.

Q. On that question of the State debt?—A. Yes, sir.

Q. Did the Readjusters take the ground that West Virginia should pay its quota?—A. No, sir; the Readjusters took the ground that West Virginia should pay its own part.

Q. That is what I mean; should pay its share?—A. Yes, sir.

Q. That never has been done yet, has it?—A. It never has been done yet.

Q. It remains still the debt of Virginia; the obligations of Virginia are outstanding for it?—A. Oh, yes.

Mr. VANCE. That is not the way I understand it.

The WITNESS. I was always opposed to paying West Virginia's part of the State debt; I was always opposed to that.

Q. The regular Democratic party there never proposed to pay West Virginia's share, did it?—A. I understood they wanted to pay the whole debt; I have understood that.

Q. You ought to know more about it perhaps than I do, but I have understood that the State of Virginia, under Democratic control, set apart one-third of the debt as being due from West Virginia, and issued certificates to the bondholders of that fact, and gave their State bonds for the two-thirds; is not that the state of affairs?—A. What time was that done, do you mean to say?

Q. In 1871, as I understand it.—A. Well, under what bill was that called?

Q. The funding bill of 1871; that is all I know about it.—A. Well, the funding bill of 1871 was a pretty rough bill.

Q. Was not that a provision of it, though, that they set aside one-third of the total debt as being due from the State of West Virginia, and gave certificates to the bondholders showing that fact, and then gave new bonds for the other two-thirds, payable by the State of Virginia?—A. Yes, sir; but they had a good many contingencies with that—the old funding bill of 1871. I don't know exactly how that was, but I know it was not in accordance with my views at the time. I do not recollect how that old funding bill was, but I thought it was a pretty bad bill.

Q. Why, I must be strangely misinformed if that was not the nature of that bill; that for a \$1,000 bond the State of Virginia issued a bond of the State for \$666.66 $\frac{2}{3}$, and issued a certificate for \$333.33 $\frac{1}{3}$ as being that much due from the State of West Virginia. If that was not the settlement of 1871, why we are all historically misinformed.—A. Well, I do not know; that might have been so; I do not know.

Q. What kind of an election did you have in Culpeper County?—A. This last election?

Q. Yes; I mean was it fair and orderly?—A. Oh, we had a pretty fair election; I reckon it was a pretty fair election on both sides.

Q. On both sides?—A. Yes, sir.

Q. And there was no violence or disturbance at the polls or interference with any man's right to vote, was there?—A. Oh, no, sir; not especially; none that I know of.

Q. Were there any special complaints of fraud in the polling or counting out, or anything of that sort?—A. No, sir; none that I heard of.

Q. What was the relative vote of each party compared with former elections? Did they hold their strength and poll their full vote, or did they poll more or less?—A. Well, the county polled about 100 more votes than they did the election before. The whole vote, I mean. It was a larger vote.

Q. Now, did the Coalition party fall behind the other votes, or did it keep up?—A. Well, the Democrats polled a bigger vote than they usually did. The Coalition party polled about its vote, but the other party polled a bigger one.

Q. Well, there is no indication of unfairness in that, is there?—A. Oh, I don't know as there is.

Q. One party is more active and gets out its reserve strength more than the other?—A. Oh, yes; every fellow trying to get all he could; no doubt about that.

Q. You said that the stories of the Danville riot were circulating on the day before election, or on the day of election, which?—A. Well, on the day of the election; I heard it Monday, too. I heard but little said about it, but on the day of election there was a good deal of talk about it, and these pamphlets were there.

Q. Now, did not you have a correct account of it by that time?—A. Well, no, sir.

Q. How many were killed, and so on?—A. No, sir; we did not get a correct account of it for a week afterwards. I never saw any correct account of it.

Q. Did not get any true account of the killed and so on?—A. No, sir; I did not.

Q. How far do you live from the railroad?—A. I live 10 miles.

Q. Was not there a telegraph office at the station—Culpeper Court-

House?—A. Yes; certainly there is at Culpeper Court-House, but not near me; that is the nearest point.

Q. Were you in town or about the telegraph office between Saturday night and Tuesday morning?—A. I was there Monday; I was not at the telegraph office, but I was in town Monday, and there is where I heard it; that is, the riot.

Q. Did you look at the papers, or merely heard what people said about it?—A. Oh, I just heard what was said about it; no, I don't know as I saw papers; that was a busy day.

Q. You did not take any pains to verify the numbers?—A. Oh, I did not know anything about it at all, except what I heard; that was the rumor.

G. G. FARRISH sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. I live in Culpeper, Va.

Q. How far from Danville?—A. I reckon it is about 175 or 180 miles.

Q. When did you first see or hear of the Danville circular, as it is called?—A. I never saw it until the day of election. I saw them stuck up on the trees on the road.

Q. You did not see any of them before the election?—A. No, sir; and I never read them then. I saw them stuck up on the voting place and some on the trees.

Q. What was said about it there election day?

Mr. VANCE. Who by?

By Mr. LAPHAM:

Q. By the Democrats.—A. Well, the Democrats were carrying on with the Readjuster vote to get them to vote the Democratic ticket; said the blacks were killing the whites down at Danville; all such talk as that; but I never paid any attention to it.

Q. Efforts were made during the day of election upon that representation, that the colored people were killing the whites at Danville?—

A. Yes, sir; at Danville; something of that kind.

Q. Now, had the news of the riot reached there?—A. Yes, sir.

Q. What effect, if any, did it have on the vote in your precinct?—A. Well, it had some effect.

Q. Or in your county?—A. I am confident that it changed some votes.

By Mr. VANCE:

Q. That is opinion?—A. That is my opinion; yes, sir.

By Mr. LAPHAM:

Q. What was the usual Coalition majority there?—A. Well, sir, we have carried it in our county elections for the Readjuster candidate by 24. The last election, Mr. Massey, I think, carried the election by 15 majority.

Q. How was it last fall?—A. Last fall she went two majority for the Funders.

Q. By Funders you mean for the Democrats?—A. Yes, sir.

Q. In the spring election in May what was it?—A. Well, it gave 15 for Massey.

Q. On the county ticket in May last spring?—A. In the spring election?

Q. Yes. You have a spring election, don't you?—A. Yes, sir.

Q. Do you remember what the vote was then?—A. I forget now what election we had this last spring; I don't remember.

Q. Now was this effort to induce white people to vote with the Democrats kept up through the day?—A. Yes, sir; it was kept up by them pretty much all day.

Q. Was it confined to a few individuals, or was it general?—A. It was general there, sir; yes, sir.

Q. Repeat, if you can, the description they gave of the Danville massacre, as near as you can; what did they say?

Mr. VANCE. I believe there has no massacre been proved.

Mr. LAPHAM. Well, the Danville riot, if you choose.

Mr. VANCE. Yes; that is better.

Mr. LAPHAM. I call it a massacre, but if you choose we will call it a riot.—A. They went on describing all that I ever heard of it; they went on describing that there was a great many black men killed down there by the whites; that is all I ever heard about it.

Q. Do you remember whether the number was specified?—A. No, sir; I do not recollect.

Q. Did you hear anything from Democrats prior to election day on the subject of the race issue—the issue between the two races?—A. No, sir.

Q. Had it ever been drawn in any election as it was in the last within your recollection?—A. No, sir; not that I know of.

By Mr. VANCE:

Q. You say the Democrats electioneered on that circular and on that riot?—A. Yes, sir; that was the talk when I got there; I never got there until late in the day.

Q. And they actually kept it up all day?—A. They kept it up pretty much all the time. I only staid there about six hours; they were carrying it on while I was there.

Q. Is there anything wrong in a man if he goes to electioneer in electioneering all day?—A. Oh, no.

Q. You say you went there late in the day?—A. I got there about 10 o'clock.

Q. What time did you leave?—A. I left there about two hours of sundown; I suppose about 5 or 6.

Q. You say the year before Mr. Massey carried the county by 15?—A. I believe about 15; there was no excitement in the election at all.

Q. And this time the Democrats carried it by 2?—A. Yes, sir; carried it by 2.

Q. Well, did the Danville circular and riot do that?—A. Yes; I think the Coalitionists would have carried it by about 25 to 30; that is my opinion, though.

Q. But in fact as it turned out the Democrats' majority sank?—A. Yes, sir; 2.

Q. Now, according to your own showing it would not have had much effect, would it?—A. No, it did not have much effect.

Q. Did not have much effect one way or the other; the party that gets the most men out is the party that wins the fight?—A. Yes, sir; they have to fight for it.

Q. Was your election there last fall quiet and orderly?—A. Yes, sir; as much so as I ever saw it.

By Mr. LAPHAM:

Q. Mr. Massey was a Readjuster, wasn't he?—A. When Mr. Massey ran he was a Readjuster. When he ran this last time?

Q. Yes; he had been a prominent member of the Readjuster party?—
A. Yes.

By Mr. VANCE:

Q. But he did not run on the Readjuster ticket, did he?—A. No, sir.

Q. Mr. John S. Wise was the one who ran on that ticket, wasn't he?—
A. Yes, sir.

By Mr. LAPHAM:

Q. He had been a prominent man in the Readjuster party, had he not?—A. Yes, sir; he had been a big man.

Q. A good many were attached to him?—A. Yes, sir.

Q. He appealed to Readjusters for support, didn't he?—A. Yes, sir; to some extent.

T. J. POPHAM sworn and examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. In Rappahannock County, Virginia.

Q. How far is that from Danville?—A. By rail it is 171 miles to Culpeper, and 13 miles by stage route to where I live; 184 miles.

Q. You are 13 miles off the railroad?—A. Yes, sir.

Q. When did you first hear of what is called the Danville circular, "Coalition Rule in Danville?"—A. Well, I was a candidate in Rappahannock County—

Q. For what?—A. The legislature; I live right on the line between Culpeper and Rappahannock, and the line of Madison County is adjoining the line of Rappahannock; I had some business matters up there, and went up and the first I saw of it a young friend of mine who is up there, he was a Democrat, had a lot of the Danville circulars, and he was spreading them around there. My brother told me about it. Jim Popham, in Culpeper. I went up there and he says, "What about these Danville circulars?" I said "I have never seen them;" he showed it to me and I read it; of course, I can understand very well that papers are written and gentlemen who sign their names to them do not exactly understand the language; and I thought, at least in our country, we did not believe, for instance, where it says that white men and white ladies—

Q. Well, I will not inquire about the truth of the statements, that is not the point?—A. Well, sir, it was distributed up there through that mountainous country, and they were appealed to, the whites were; they were going to have mixed schools if the Readjuster party won in Virginia.

Q. When did the news of the Danville riot reach you?—A. It came to Rappahannock on Monday. A Democratic friend of mine, a personal friend of mine, brought the news from Alexandria, I think it was.

Q. What news did he bring?—A. Well, sir, I will tell you; I think it was an extra of the Alexandria Gazette, issued on Sunday; Monday I rode up to Sperryville, I was going up above there about 3 miles to address some of my constituents, and I rode up to Sperryville, got off my horse, went to the hotel, got my dinner; I came back to Mr. Henry O'Banner's store, and this gentleman was reading this extra, I think of the Alexandria Gazette, about the Danville riot. Well, I never had heard anything about the Danville riot until then. That was about 2 o'clock in the evening of Monday, the day prior to the election. I said,

"A riot in Danville?" He said, "Yes;" and turned to me and says, "Come on, go with us now; you might as well go with the white people." I says, "No, I guess not." I said to this friend of mine "Hold on, let me tell you something, I don't know anything about it, I believe I have got \$100 in my pocket, and I will bet you \$100 that if there has been a riot the negroes were killed and the white people were not."

Q. The statement was that the white people were killed?—A. No, sir; he was reading the circular.

Q. Well, I say that the statement was that the white people were killed?—A. No, sir; he was reading the circular; not the circular, but the account of the riot, and it said, "Negro riot in Danville."

Q. What was that account; stating that the white people were killed?—A. No, sir; he was reading the extra of the Alexandria Gazette.

Q. Yes; what representation was contained in that?—A. Why that the negroes were running over the white people in Danville, and had a meeting in Richmond and Lynchburg, and appealing to the races, and all those kind of things, and I said to him, "Look here, my young friend"—mind he was a warm personal friend of mine; lived right close to me; a bosom friend personally, but politically we did not agree—I said, "I don't know anything about the Danville riot, but if there has been one I will bet you a hundred dollars that the negroes were killed and the white people were not."

Q. Was he a Democrat?—A. Yes, sir.

Q. This gentleman who was distributing the Danville circulars, was he a Democrat?—A. No, sir; I did not say distributing; that was not the Danville circular; I am speaking of the report—

Q. But I mean the one you spoke of first.—A. The other gentleman? Yes; he was a Democrat.

Q. Who was your opponent in the canvass?—A. Mr. Maltby. I had represented my county in the legislature for six years, and I quit of my own accord.

Q. Well, passing by that, I want to ask you a few questions about the canvass; was Mr. Sims up in your county?—A. Yes, sir.

Q. Did you hear his speech?—A. I did.

Q. Now, if he said anything on the subject of the race issue tell us what it was.—A. He never said anything on the subject of the race issue. Mr. Sims made one of the best speeches that was made in Rappahannock during the campaign.

Q. Did you hear any speeches on the other side?—A. Yes, sir.

Q. Was there anything said about the race issue by them?—A. Well, those Democratic gentlemen always make violent speeches; it is more popular to do that.

Q. I am speaking now of what you heard during the last canvass.—A. I was going on to say that the Democratic gentlemen generally make violent speeches, and they get up on the stump, and their stock in trade is to abuse the Coalitionists now and applaud what we call the "Straightouts" in Virginia; ten years ago they called what we call Radical then scallwags.

Q. Never mind ten years ago; come down to the present; what was said in this last canvass, that is what I want?—A. Well, sir, in this last canvass I think—I only speak for where I live, you know.

Q. Yes; I want to hear what you heard from Democratic speakers.—

A. The Democratic gentlemen made rather violent speeches, I thought. They attempted to draw the race issue and to abuse the negroes. The only stock in trade of it was anything to beat Mahone in Rappahannock

County. That was the stock in trade of the Rappahannock Democrat; anything to beat Mahone.

Q. What was the subject of the remarks?—A. There were but two Democratic gentlemen up there; there were only three speeches made in Rappahannock County. Mr. Sims made one.

Q. I say what was the subject?—A. I was going on to say they abuse the negroes on the stump and then go and vote them on the day of election.

By Mr. VANCE:

Q. Go and vote them?—A. Yes, sir; that is what they do; go and pay for them if necessary. I have seen them buy white men cheaper than colored men. They are about the price of a sheep, about \$3 a head. I think they cost more this last time.

By Mr. LAPHAM:

Q. What effect did this circular and the news of the riot have upon the Rappahannock election?—A. It carried the county Funder—no not Funder, but Democrat.

Q. Did you ever see the race issue drawn as it was last fall?—A. There was more excitement. I was a boy when Mr. Lincoln, President of the United States, issued that call for seventy-five thousand troops. I was eighteen years old when that was issued.

Mr. VANCE. That is going tolerably far back.

The WITNESS. Well, there was more excitement in the campaign in Rappahannock County in this last campaign than there was when Mr. Lincoln issued his proclamation for troops to pass through Southern soil to go to South Carolina.

By Mr. LAPHAM:

Q. On the day of election, was this subject talked about by the Democrats?—A. Oh, yes; it was carried all around. I could never trace the rumor. Why they even told that I was in favor of mixed schools.

Q. Was there anything said on the subject of the Danville riot?—A. Oh, yes, that the negroes down there were not going to let anybody run over them.

Q. What was the usual majority in your county; which way?—A. Well, sir, it had gone Democratic, I believe, about five hundred.

Q. In prior years, you mean?—A. Yes, sir; went for John W. Daniel. I voted for Mr. Daniel.

Q. What was it last fall?—A. One hundred and seventy-six, I believe.

Q. Their majority was less then?—A. Yes, sir; I pulled her down, or my friends did.

Q. You are speaking of the vote for you, I suppose?—A. Yes, sir.

Q. How was it on the ticket generally?—A. There was not any general ticket; the senatorial election was the only one.

Q. Yours was the only county canvass, then?—A. Yes, sir.

By Mr. VANCE:

Q. You say that the Democrats charged upon the Coalitionists that they were going to have mixed schools?—A. Yes, sir.

Q. Did you ever hear it charged by the Coalitionists upon the Democrats that they would take colored schools away from them?—A. No; I think not.

Q. Did you see that in some of their circulars and published statements that the negroes must come out?—A. I pay very little attention to statements that were sent out by either committee.

Q. Oh, well, but you testified as to what one side said; I thought may be you might remember what was said on the other.—A. Well, I guess I will remember what I know.

Q. You never remember to have heard that?—A. No, sir; I will tell you I have only been a Coalitionist for two years. I was a Democrat; no, I never was, I was a Whig.

Q. Well, you acted with the Democrats awhile, didn't you?—A. Well, with the Conservative party.

Q. Well, that is the same.—A. Yes, sir; until they went to Lynchburg with the conglomeration.

Q. What conglomeration?—A. When Mr. Massey and Fulton got together up there and abused the debt-paying party and called the Readjusters repudiationists, &c., and indorsed everything they had done, I quit them.

Q. Did they indorse everything they had done, or did they accept the decision of the supreme court?—A. I believe they said they acquiesced in it.

Q. That is the same thing as indorsing?—A. Well, acquiescing and indorsing is not the same.

Q. Well, you said the Democrats always made violent speeches?—A. I say they generally made them; they are popular on the stump, you know; you have made them, governor, yourself; the way to capture the crowd is to tell anecdotes to them.

Q. And make violent speeches?—A. I did not mean violent exactly; I mean aggressive speeches.

Q. Did you make any violent speeches?—A. No, sir; I do not do any such things. The Democrats are my friends as well as the Readjusters.

Q. Well, when you represented your county you were a Democrat, were you not?—A. No, sir; I was an Independent candidate always.

Q. Always an Independent candidate?—A. Yes, sir; I beat the nominee up there more votes than he got.

Q. Did you run with the Democratic organization?—A. No; I was in the legislature six years; I was chairman of the railroad committee down there when I was a boy; I am not so old yet, and I liked those people up there, and they liked me very well.

Q. Well, that is not exactly the question I asked you.—A. Well, I did not run with any party; I voted with Mr. Nixon against Judge Christian.

Q. Did you vote for the funding bill?—A. No, sir; I was not there then; I voted for the McCulloch bill though.

Q. It was claimed that they bought the negroes down there right and left?—A. They bought more white men than negroes; that is the politics in Virginia that the money buys one-quarter of the white people in Virginia.

Q. And that the price was about the same price as sheep, \$3 a head?—A. Well, it depends upon where it was.

Q. Well, that is what you said, wasn't it?—A. Yes, sir; I want it understood that I do not mean that the gentlemen in Virginia sell their votes; three-quarters of the gentlemen do not do it.

Q. The other one-quarter of the gentlemen do?—A. No, sir; you are putting words in my mouth.

Q. What becomes of the other quarter then; three-quarters do not?—A. The other quarter sell.

Q. Of the gentlemen in Virginia?—A. No, sir; I do not say gentlemen. I mean three-quarters of the people.

Q. You did say gentlemen.—A. Well, that word just slipped out of my mouth; you know what I mean.

Q. Was that an evidence of the mildness with which you spoke, that you charge in this way that the poor white trash bring about the price of sheep, &c.; that one-quarter of the white people of Virginia are for sale?—A. Governor, there is a gentleman in Rappahannock County; I will give you his name if you want it——

Q. No; my question was——A. I will answer that question, sir. He said I was in favor of mixed schools. I went to him on the morning of election and took him out and asked him. I said, "Did you say that I said that? If you did, you lied when you said so." He said he did not say it. He said, "The party who told me misunderstood it." I said, I would suppose so, because I have got three children in Virginia, two girls and one boy, and I do not want my children to go to a school with colored people, and the colored people, I do not think, want their children to go with white children; if they do, they aint going to school together, and it was just a general rumor in politics.

Q. Now, you heard my question?—A. Yes, sir.

Q. I asked you if those expressions you had made use of were a sample of your moderation in speaking?—A. Well, Governor, I will tell you. I do not suppose that you know as much about Rappahannock politics as I do.

Q. No; I do not.—A. No, sir. But I will tell you that many a man in Virginia who has got plenty of money can be elected in any county if he will pay enough for it.

Q. Now, I will ask you——A. Hold on, I will get there in a minute, if you will let me. That there is always enough floating vote in any county, where the parties are about equally divided, or nearly so, where money comes in and carries the election.

Q. Is that how the Readjuster party got control of the State of Virginia?—A. I do not know. I was not a Readjuster. When she got control of it I was voting on the other side.

Q. You say any party that has got money can get in?—A. I say that, gentlemen; candidates, in a county where they are very evenly divided, money comes in and wins the rest; that there is floating vote enough, not only in Virginia, but North Carolina, New York, or anywhere else.

Q. That is what you say as to other States. You did not see that yourself?—A. Yes, sir.

Q. Now, I ask you if that is the way the Readjuster party got control of Virginia?—A. I do not know, because I was voting on the other side.

Q. Now, is your remark general, or is that the way the Democrats got in?—A. Oh, no; not the Democrats, but the Democrats generally own more property. The majority of the white people in Virginia are Democrats. After the war they lost their negroes, &c., and they naturally turned to be Democrats. I believe the best Democrats in Virginia are the old-line Whigs.

Q. Still, my question remains unanswered. Is that a sample now of the feeling with which you generally speak when speaking in politics?—A. When who speaks in politics?

Q. When you do; you accuse the Democrats of making violent speeches.—A. I corrected that word, sir; "violent," perhaps is not exactly the word. I said "aggressive."

Q. "Aggressive" speeches. Now, do the Democrats in your country generally, speaking on the stump, make use of more insulting expressions than you have made use of here on oath?—A. I have not made any insulting expressions about Democratic gentlemen on oath.

Q. You have said that one-quarter of the white people of Virginia were for sale?—A. Yes; been bought and sold on election day.

Q. Well, don't you consider that pretty rough?—A. Well, sir, that is the truth; I cannot help how rough it is.

Q. That is true?—A. Yes, sir.

Q. And you said the negroes were bought, too, but they were not bought as much as the poor whites.—A. Governor, a gentleman came to me—he is a friend of mine, a Democrat—he told me before the election he was going to carry forty negro votes against me at one township, and he came to me after election and had carried forty-two. Do you want to know his name?

Q. I do not care anything about that; that is not an answer to my question.—A. I cannot answer yes or no, because your question is a leading one, and I cannot answer yes or no to a question of that sort.

Q. You cannot?—A. No, sir.

Q. I do not think my question was a leading question. You can answer either way. I asked you if any Democrat making speeches in your county used more insulting expressions than you have used here—that one-fourth of the white men sold their votes and an indefinite number of negroes?—A. Governor, it is a recognized fact in America, not only in Virginia, but in your own State and other States, that money carries a good many votes. I say that there is one-quarter of the people in my county—you understand, now—that are bought from anywhere from a dollar up to twenty, if it is necessary to give it. Now, I am not attacking my people. Our people are as good people as any in the world. Rappahannock County is one of the richest counties in the State of Virginia, and as good people as live in Virginia. I have no word of censure against gentlemen on either side, but I know the fact that people are bought at the election, paid for, and marched up and voted.

Q. Well, that is another disquisition. I still press my question. Did you ever hear a Democrat say, upon the stump, anything worse than that toward his opponent?—A. What do you mean worse than that?

Q. Anything more insulting?—A. That a man who would sell out would steal?

Q. Yes.—A. I do not think that is insulting to a man who would sell his vote for a dollar or three dollars. I think a man who would sell out for a dollar would do anything.

Q. Well, you do not think that is insulting?—A. Not to gentlemen, of course not, because they are not for sale; not gentlemen, of course not.

Q. I ask you again if you ever heard a Democrat say worse than that?—A. I have heard them say that much, and I know all about it. I do not blame them; I have done it myself.

Q. Well, you have heard that much?—A. Oh, I have seen them do it. What is the use of talking?

Q. What is the use of talking, as you say, but you have made the impression upon the committee that the Democrats made violent speeches, that their stock in trade was abusing the darky. I ask you.—A. That is the third time you have used the word "violent." I have said they made more "aggressive" speeches, and therefore they got more votes by that.

Q. Then you consider that this charge, that one-quarter of the votes of Virginia are bought and sold like sheep—is that offensive or violent?—A. I do not think it is offensive to a man that sells his vote, is it?

Q. That takes it for granted that the accusation is true.—A. I take it for granted that when I testify to it that it is so where I live.

Q. And yet you say you live among the best people in Virginia, and the richest?—A. Among the best, I do not say *the* best.

Q. Oh, I know; among the best people in Virginia, and the wealthiest in the State?—A. Yes, sir; they are about the richest county.

Q. And that is your opinion of your own race and color?—A. Never any color in being white.

Q. White is not a color?—A. No, sir; I think not.

Q. Is black a color?—A. Yes, sir; that is black.

Q. That is a distinction in natural philosophy?—A. Well, I did not study that; I did not have time to go to college because I went to war.

Q. You think a little more of the colored than you do of the whites, don't you?—A. No, sir.

Q. You say there are not so many for sale?—A. Now look here, Governor, I had a colored man that waited on me in the battle of Gettysburg, and I have a high respect for the colored people in their place.

Q. What are the usual politics of Rappahannock County?—A. Democratic.

Q. By how much?—A. Nearly five hundred it went for Daniel.

Q. By what majority was it carried by the Democrats at the last election?—A. One hundred and a few votes.

Q. Then, the vote fell off?—A. No; there were 200 and more votes polled in Rappahannock than either had.

Q. I mean the majority fell off?—A. Yes, sir.

Q. Then, the Readjuster party made a gain in proportion to the increase; they got more than their share, didn't they?—A. I stated in the beginning I was a candidate not nominated by anybody—I was an independent candidate—but, I suppose, recognized as in favor of the Coalition.

Q. Now, that don't answer my question; you see that it don't.—A. Governor, I stated before, if you will look in the testimony, that it had gone Democratic nearly 500, and this last time it went only 167 or 170; something like that; I cannot tell exactly.

Q. Then I asked you if that was a falling off, and you said no, both sides increased their vote; is not that correct?—A. Yes, sir.

Q. And then I asked you, further, if the increase in favor of the Coalitionists was not greater than that in favor of the Democrats?—A. I answer that question, I was not a Coalition candidate, but independent candidate, and stated on the stump that I did not propose to go into any caucus in Richmond on either side.

Q. I did not ask you that question. I ask you if the Coalition, or whatever it was called—the opponents of the Democrats—did not get the largest share of the increased vote?—A. Of course the difference between 170 and 500 shows the difference.

Q. Of course that answers the question; the Coalitionists voted for you, didn't they?—A. Yes, sir; I stated that I was recognized as in favor of the Coalition.

Q. You were not nominated by them, but they recognized you and voted for you?—A. Certainly.

By Mr. LAPHAM:

Q. Do you know whether you received Democratic support?—A. Yes, sir; some Democratic gentlemen voted for me.

Q. You know that fact, do you?—A. Yes, sir.

Q. So that your election was not a party test there?—A. No, sir; it was not. The little village in which I live, Democrats and all voted for me.

WASHINGTON, D. C., *Saturday, April 5, 1884.*

GEORGE H. SOUTHALL sworn examined.

By Mr. LAPHAM:

Question. Where do you reside?—Answer. My home is at Nottoway Court-House, on the South Side of Virginia.

Q. How far from Danville?—A. One hundred and thirty miles, I reckon.

Q. Where were you on the 3d of November last?—A. That was the day of the riot, wasn't it?

Q. Yes.—A. I was in Lynchburg; employed as a postal clerk between Lynchburg and Bristol, Tenn.

Q. About what time did the news of the riot reach Lynchburg?—A. Sometime in the afternoon; I don't recollect at what hour. I was passing down the street and saw telegrams on the bulletin-board.

Q. About what hour in the afternoon?—A. I suppose it was between 1 and 3 o'clock; somewhere about that time.

Q. How did it come, by telegraph?—A. Yes, sir; I saw it on the bulletin-board.

Q. How far is Lynchburg from Danville?—A. Sixty-five miles, I think, is the distance.

Q. How was it received by the Democrats there; what did you hear said about it?—A. They said that that secured the State for the Democrats. That was the general exclamation on the street.

Q. Was it a tone of exultation at this occurrence, or of regret?—A. It seemed that they were pleased with it.

Q. Pleased with the result?—A. Yes, sir.

Q. That was the general talk among them, was it?—A. Yes, sir.

Q. What was the general nature of the report from Danville?—A. They said a riot had taken place between the whites and colored.

Q. Was any statement as to how many were killed, made?—A. Well, the rumor was that there were from five to eight; different rumors, different telegrams; you couldn't get at the truth of it until afterwards.

Q. Five to eight of what race?—A. Colored. There was one white man, I think, killed; I think that was the first report that was posted on the bulletins.

Q. Had you, prior to that, seen the Danville circular?—A. Yes, sir.

Q. How long before?—A. I don't recollect; some week or two, or ten days.

Q. Where did you first see that?—A. I saw it in Lynchburg; it was shown to me.

Q. What, if anything, did you hear the Democrats say about that?—A. Well, they condemned the circular and said that the people of Virginia were——

Mr. VANCE. You understand that I object to anything that anybody has said unless the names are given.

Mr. LAPHAM. I will ask him the names after he states it.

Q. Finish what you were saying.—A. It was a general talk about the Danville circular. It has been so long, and I never thought that I would be called upon to say anything about it.

Q. What was the nature of the talk, approving it or disapproving it?—A. Well, they approved of the Danville circular; said that the people of Danville thought that they were right in issuing it; thought they were being oppressed by the party there.

Q. Now, what effect did that circular and the report of the riot have upon the state of feeling there?—A. It had a good deal, I think.

Q. Did it have any tendency to draw a race issue?—A. Oh, yes; the race issue had been drawn long before that, as much so as it was in 1869, I thought.

Q. Was it ever drawn so closely, definitely as it was in the last canvass?—A. Not since 1869, I think.

Q. Did you hear any speeches made by Democrats at public meetings?—A. I heard the speeches the night before the election in Lynchburg.

Q. By whom?—A. By Captain Whitehead and Lemuel S. Marye.

Q. Who is Captain Whitehead?—A. He is the editor of a Lynchburg paper, *The Advance*.

Q. Who is the other gentleman?—A. I think he was his associate editor at that time; he is a lawyer.

Q. Well, they were prominent Democrats, were they?—A. Yes, sir.

Q. Did you make a memorandum at the time of what was said by each of them in their speeches?—A. Yes, sir; I took down a few words of their speeches.

Q. Give to the committee, if you please, what you heard each of them say.—A. I will, to the best of my recollection. It may not be exactly accurate.

Q. No; I don't suppose you can give the exact words; but give the substance of them.—A. Yes.

By Mr. VANCE:

Q. Can you tell all the speaker said?—A. I don't suppose that I could. I don't suppose that any man could repeat every word that a——

Mr. VANCE. We object to a disjointed part of a discourse.

By Mr. LAPHAM:

Q. Now state the substance of what either of them said or each of them.

Mr. VANCE. I want my objection noted.

The WITNESS (producing note-book). After the resolutions offered by General Early——

By Mr. LAPHAM.

Q. Do you remember what they were?—A. No, sir; I don't recollect what they were, but the resolutions were commending the course of the people at Danville.

Q. Approving their course?—A. Yes, sir. Mr. Whitehead commenced with his speech—of course I cannot state verbatim every word that was said, but he said [reading from note-book]:

We intend to carry this election. We have arranged everything to carry it. News from all over the State indicates that the State will be rescued from the radical Mahone rule. We intend to carry this election if we have to carry it through blood. Woe be unto the judge of election who attempts to bulldoze or attempts to make fraudulent returns; better he had a millstone around his neck and cast into the sea, for his last days will be worse than his first. Perdition will be his portion. Close up your stores to-morrow and devote one day to the rescue of this grand old State from the rule of the traitor Mahone. Watch every white man who comes to vote, and if he votes against us then we will know where to place him, for those who refuse to vote with us are against us, and we must spot every man that is against us, and the work we have to give must be given to those that are with us; vote with us. Those who vote with us are not against us. Watch the people. See that all yours, every friend, whether he be white or black, that wants to vote with us has his interests protected; and if Mahone radical judges of election interfere with you in the discharge of your sacred duty strike hard from the right shoulder. Vote your men. It matters not what the consequences may be, for we must, we will, we shall carry the election, cost what it may, and rescue the grand old State from this diabolical rule of the arch-traitor Mahone and his black Republican allies.

That was about the purport of Mr. Whitehead's speech.

Q. Well, you heard the speech of his associate, also?—A. Mr. Marye; yes, sir. Mr. Marye said [reading from note-book]:

We are now on the eve of the most important election that was ever held in Virginia. These are exciting times. We must rescue the State from Mahone Radical rule and place it once more in the hands of the best people (the white people). We commend the white people of Danville for their course in their late unpleasantness. It was a desperate case and required a desperate remedy to subdue Mahone Radicalism in the fair town of Danville, our sister city. If a row occurs here to-morrow, and I am sorry to say it may occur at any time, don't shoot the poor negroes, as was done in Danville, but commence at the office-holders first and kill down; kill every devil of them, for they will be the instigators of the row, if one does occur. We have nine-tenths of the intelligence, nine-tenths of the wealth, nine-tenths of the religion—yes, all the religion, for whoever saw a Radical Mahonite inside of a church. They are all a mean set of scoundrels. There is neither honesty nor principle inside of their party. We don't intend that they shall rule Virginia. We intend to rule Virginia from this vile horde of Mahone Radicals. It matters not what it may cost. The election is ours, and as sure as the sun goes down on to-morrow night you will see, my friends, that Virginia will be redeemed by the best people (the white people). We intend to rule Virginia, it matters not what it may cost, or what sacrifice we may have to make, we intend to rule.

That is about the purport of the two speeches.

Q. Was this a public meeting?—A. Yes, sir.

Q. How were these speeches received by the white people there?—A. Well, a good many of the people condemned them.

Q. Yes; but by the audience generally?—A. The audience said they thought that it might have been left out, but nothing should be left undone to carry Virginia.

Q. Was there any applause—were they applauded?—A. Oh, yes; applauded all the time.

Q. When they were saying these things, I mean?—A. Oh, yes; applauded every few moments, but a good many of the people condemned them.

Q. Who is Mr. Whitehead?—A. Mr. Whitehead is editor of The Advance, and was formerly a member of Congress.

Q. He has been a member of Congress, has he?—A. From that district; yes, sir.

Q. Wasn't he a minister, also?—A. I don't know whether he was a minister or not. He is a very prominent Methodist.

Q. Methodist exhorter, as they call them?—A. Yes, sir; Mr. Marye is a member of the Presbyterian church, and an elder, I think.

Q. And a lawyer?—A. Yes, sir.

Q. This was the night before the election, you say?—A. Yes, sir.

Q. After the news of the Danville riot and the circular. How extensively was that circular distributed in that section?—A. Well, it was circulated everywhere, as far as I could hear.

Q. You were a route agent?—A. Yes, sir.

Q. Did any of them go through your office?—A. Yes, sir; I suppose they did; a great many went through. There was a bundle broken open; it was not pasted up well, and they had to retie it, going to some office in Southwestern Virginia; I don't recollect what office now.

Q. How many were in that bundle, or about how many?—A. I suppose a thousand; five hundred or a thousand; I didn't count them, of course.

Q. A large number?—A. Yes, sir.

Q. Did you see them at different places along your route?—A. Yes, sir; there were a good many packages of that kind. I didn't know what was in the inside, except this one that was broken.

Q. No ; after that, as you passed along the route, did you see it at different places ?—A. Yes, sir ; and everybody was talking about it.

Q. Where were you on election day ?—A. I was home.

Q. Was it there ?—A. No ; I didn't see one of them there at all. The only circular I saw at home was a circular concerning Governor Cameron, purporting to be what he said in his speech at Roanoke.

Q. What representation did it make in regard to him ?—A. I called upon some of my friends at home, and I says, "What does this mean ? I never saw this before." "Well," they said, "this was a speech that Cameron made at Roanoke." As well as I recollect the circular it stated, it says, "White men of Virginia, come to the rescue of the white people. Governor Cameron, the governor of this Coalition party, said in a speech at Roanoke that the white people of Virginia were afraid of their daughters and wives having negro babies.

Q. They represented Governor Cameron as having said that ?—A. Yes, sir. "And can you support any such party ?" "Well," I says, "Governor Cameron never said any such thing."

By Mr. VANCE :

Q. How do you know he never said it ?—A. Because I saw a certificate from two or three——

Q. Were you there when he made the speech ?—A. No, sir ; but I saw a certificate from two of the leading Democrats of Roanoke——

Q. I don't care what you saw. You have no right to testify if you were not there.

By Mr. LAPHAM :

Q. One moment, you are telling a conversation you had with a Democrat, are you not ?—A. Yes, sir.

By Mr. VANCE :

Q. What Democrat ?—A. I say I saw a certificate——

By Mr. LAPHAM :

Q. With whom were you conversing when you said that Governor Cameron did not say any such thing ?—A. I was talking with Robert H. Bell and William H. Dean.

Q. Who were they ?—A. They were two of the leading Democrats of the county.

Q. Well, finish the conversation, please.—A. I said I did not believe it, because I had seen the card published in the newspaper, certifying from two of the leading Democrats of Roanoke that Governor Cameron did not say any such thing in his speech.

Q. What did they say in answer to that ?—A. They said it was altogether misrepresented ; that Governor Cameron intended to convey a certain idea, and that they misconstrued it, and it was altogether false.

Q. They admitted it was false. When did you see that circular ?—A. I saw it in a Roanoke paper, and also in some other paper, I have forgotten which now.

Q. Well, on election day, where did you see it ? Did you see it on election day anywhere ?—A. I saw it the day before election.

Q. The question I asked was whether, on the day of election, you saw the Danville circular, or any circular in relation to the Danville disturbance ?—A. No ; I saw the Danville circular long before the election. There were none of the Danville circulars distributed in my portion of the State. I didn't see any of them.

Q. How is the population in your section, mostly white ?—A. No, sir ;

most of the voters in my county are blacks. I live in what they call the "black belt." I think the negro vote of Nottoway is about 500 or 600 majority, in the county. We have never had any trouble there with voters—get along pleasantly together.

By Mr. VANCE:

Q. Did you take down the speeches of Messrs. Marye and Whitehead at the time?—A. I made a memorandum of them.

Q. Made the memorandum that you read over here?—A. Yes, sir.

Q. Was that language ever published in the papers?—A. No, sir.

Q. You didn't make it public before this?—A. Yes, sir; I spoke of it on various occasions.

Q. Did it not get into the papers?—A. I never spoke of it to any of the editors of the papers except of the Democratic party, who heard it, though, of course, the people of Lynchburg—

Q. Did it not get into the papers?—A. Not as I recollect of.

Q. Was it not charged in the Coalition papers that that language had been used?—A. I don't know as it was. I never made any report of it myself.

Q. Did anybody else report for you?—A. I think not.

Q. While Mr. Marye was speaking, was there not an alarm that the Coalitionists were coming to break up the meeting?—A. Yes, sir.

Q. And there was a call for the men to form themselves for defense?—A. Yes, sir.

Q. And it was in that connection that Mr. Marye made use of that language, wasn't it?—A. No, sir; I don't know as it was.

Q. Well, do you know that it was not?—A. I will state this fact—I had forgotten that portion of it. The colored band of Lynchburg were coming up the street playing. Being a colored band, a good many of the gentlemen said, "Well, the Coalitionists are coming to break up our meeting." I don't know whether Mr. Whitehead knew anything about it or not, but I happened to be on the street when it occurred, and opposite the post-office.

Q. Well, was not there a large crowd with the band?—A. No; there was a very few with it. And one other gentleman ran up. The Democratic party formed into line. The order was given; they said, "Gentlemen, all form into line and protect yourselves;" and there were a great many pistols drawn. Some of the prominent men ran up and says, "Those men are not against us; they are with us," and says, "For God's sake, don't have any riot;" and the band marched up, and the leader of the band marched upon the steps, very high prominent steps, going up the court-house hill, with placards on them, "We are with you, and will vote with you." Then it was all over.

Q. Then the alarm subsided? Now, wasn't it when that alarm was given that Mr. Marye made use of this language you speak of?—A. This was some time before the band came that Mr. Marye made his speech.

Q. You can recollect that very distinctly now that no alarm had been given that some one was coming to interfere with them?—A. No; Mr. Marye is very excitable and—

Q. Yes; and you say a great many men disapproved of what he said—Democrats?—A. Yes, sir.

Q. And you say Mr. Whitehead said that they intended to carry it through blood?—A. They intended to carry it, if they had to carry it through blood.

Q. Can you recollect the connection in which he said that?—A. No, sir; I thought it was very indiscreet language at the time.

Q. Yes; certainly. Didn't Mr. Whitehead allude to the troubled state of the times and to what was supposed to have been very violent and disorderly conduct of the black people in Danville, and were not his remarks directed to the supposition that if any attempt should be made to raise riots and disturbances that then they would shed blood if necessary?—A. No; he said that the people of Lynchburg had always got along very peaceably and quiet with the people there of the opposite party; that he did not believe that they would have one, but we might, he said; and that they intended to carry the election if they had to carry it through blood.

Q. Did he produce the impression upon you that they were going to just shoot and kill whether or no in order to carry their point, or that they would shoot and kill if necessary to carry their point and to maintain their rights?—A. Well, I thought that he conveyed the idea that the election must be carried; I don't know what he meant by it.

Q. But now you have undertaken to give testimony here that may do him injustice.—A. Of course, I don't wish to do Mr. Whitehead any injustice.

Q. Did you understand him to say that they meant if they could not get votes any other way to just go out and kill people?—A. Oh, no; not anything of that sort. I don't think any man would be so insensible as to say anything of that sort.

Q. Did not he in his remarks charge that the Coalition party was using violence and attempting to bulldoze people, and was not his language on the defensive in reference to that charge?—A. I don't understand that question.

Q. I ask if he didn't charge upon the Coalition party bulldozing?—A. Oh, he charged them with everything.

Q. Violence; a disposition to manifest violence, and all that kind of thing, and if necessary they would meet violence with violence?—A. No; I didn't hear him say anything of that sort.

Q. I will ask you again, if you understood him to mean that they were going to kill people simply in order to get votes?—A. Oh, no; if it was necessary. If they interfered with the election.

Q. Exactly; if they interfered with it?—A. Yes, sir.

Q. They were not going to be backed out; they were going to vote?—A. Yes, sir.

Q. And they were going to carry the election; if necessary to repel violence by violence, and shed blood to do it?—A. Well, he said they intended to carry it. Our party had never said anything of that sort.

Q. Oh, no, no; certainly not. In reference to Governor Cameron's speech, you say you heard this conversation or you had this conversation with two Democrats, in which they said that Cameron's speech had been entirely misinterpreted.—A. No; I said that—

Q. That they said so?—A. I told those two gentlemen at home that it was misinterpreted, for I saw a card from two gentlemen in Roanoke, stating that Cameron's speech had been misrepresented, and this circular was false.

Q. Do you know the names of the two men who had given that card?—A. I don't recollect now. It was published, though, in the "Roanoke News" and some other papers. I suppose you recollect it; some of you do.

Q. No; I am not familiar enough with your local politics there. I ask you if the card that you referred to denied that Cameron had used any such language?—A. Yes, sir; oh, yes.

Q. It did?—A. Denied it; yes, sir.

Q. I thought you said the card said that Cameron's language had been misinterpreted.—A. Of course that denied that he used that language.

Q. Then how could it be misinterpretation of language that was never used?—A. I don't know why this circular was printed; I cannot tell anything about that; you know a great many things are misrepresented, so far as that is concerned.

Q. Did you see Governor Cameron's own letter in explanation of his language there?—A. I don't recollect whether I did or not; perhaps I did.

Q. Don't you recollect that Governor Cameron said that he asked the question, "Are you afraid that your daughters will have negro children?" He didn't charge that they would, but, "Are you afraid of that," and that, therefore, his language had been misinterpreted?—A. I think I do recollect something of the kind.

Q. Did not you see a card published by a lawyer named Strouse, in the Richmond Dispatch, saying the same thing?—A. I might have seen it; I don't recollect; I will not be positive about it; I read the Dispatch all the time, nearly.

Q. Now, this turns out as I understand it to have been, a misapprehension of what Governor Cameron said, and not that the circular made up the story out and out, out of whole cloth; that he did use some such language, but not in the sense in which they thought it was.—A. Yes, sir; the whole thing was misrepresented, and this card was gotten up for political effect, I suppose, and was circulated on the South Side of Virginia for political effect. Of course it was done to change votes more than anything else, I suppose.

Q. Well, the speech was made for the same purpose, wasn't it?—A. No, I don't suppose——

Q. Don't you think Governor Cameron made a speech with political intent?—A. I don't suppose he misrepresented anything, and from your own questions asked to me it shows it was gotten up for political effect.

Q. You don't think he made that speech, then, for any political effect?—A. Oh, yes; of course he spoke for his party.

Q. Well, did you ever know that to be done by a governor of Virginia before while he was in office?—A. Well, I don't know. I think that other governors of the State have made political speeches.

Q. While they were in office?—A. I have no recollection now whether they did or not, but it seems that all parties have always spoken for their party; all men, I mean, spoken for their parties.

Q. Didn't the fact of Governor Cameron's going out to canvass excite some indignation among the Democrats, and didn't they charge upon him that no governor of Virginia had ever done that before?—A. I think they did. I think their papers stated that. Whether it is true or not I am unable to say, because I never examined the records.

Q. You say the race issue was drawn already before the Danville circular was issued?—A. Yes, sir.

Q. Who had most to do with the drawing of that race issue; which party?—A. The Democratic party had always drawn the race issue when they wanted to carry the election, as they did in 1869.

Q. Did the Coalitionists draw the race issue at any time?—A. I don't know whether they did or not.

Q. Not in the large white counties, I don't suppose they did, but did they in your county?—A. What, the Coalitionists?

Q. Yes.—A. Not that I know of in my county. Now the negroes

have always voted the Republican ticket. I have been a Republican ever since 1865.

Q. Well, they are solid, are they not, pretty much?—A. No; I suppose in my county there are some forty or fifty negroes who always voted the Democratic ticket.

Q. What per cent. is that to the whole number?—A. A very small per cent.

Q. Are they not more united, more nearly unanimous, a great deal, than the whites are?—A. No, sir; not more so until this Coalition party came into power; came into existence. You know they came into power with the Republicans, and we united together to beat the Democrats.

Q. Well, that is the very question I am asking. Didn't the Coalition party, as far as possible, drive the colored vote altogether, solid against the Democracy?—A. Oh, no, sir.

Q. Well, now, how much did they lack of it?—A. The Coalition party had nothing at all to do with that in my county.

Q. Who had?—A. The Republican party always voted against the Democracy, and when the Coalition party came into existence and made a common cause with the Republicans of my county, of course we voted together.

Q. Now, I ask you, and I would like to have an answer to the question, if the colored people were not much more nearly unanimous than the white people were?—A. Much more unanimous in what respect?

Q. In standing as a race together for the Republican side?—A. Well, the Coalition party didn't profess to be Republicans at first, you know.

Q. Now, you understand my question, and I want an answer to it, and you may as well give it to me, because I am going to have it if it takes all summer to "fight it out on this line."—A. I am willing to give you it in a right form, but I will not give it to you until it is in the right form.

Q. I will put it in just such form as I please, subject to the correction of my associates on the committee. I ask you if the colored people as a race were not more nearly a unit than the white people as a race, in politics?—A. Well, I dare say they were. I don't know as they were either. Of course the white people were more of a unit until this Coalition party came into existence.

Q. Yes. Now, the question was as to this time, the time of the last election. Were not the white people more divided than the colored people in politics?—A. No, sir; I don't think they were.

Q. You think they were as near a unit as the colored people?—A. Yes, sir.

Q. How many colored votes are there in the State of Virginia—legal voters?—A. I think there are 125,000 or 130,000.

Q. How many whites?—A. About 170,000 or 180,000.

Q. One hundred and eighty thousand?—A. Yes, sir; of course I cannot state positively unless I had the figures before me.

Q. Now, the effect of your statement is that there are as many or more colored people who vote the Democratic ticket than there are white people who vote the Coalition ticket?—A. I think in the last election—in this election it was not before, because we had a Straightout element in the county that voted with the Democrats, and we had a good many of the Democrats that formerly voted with the Coalitionists that voted the Democratic ticket.

Q. How many Straightout Republican votes were cast in the last elec-

tion; I don't mean the last election, but the last general election for Congressmen? How much did the Straightout candidate for Congress get?—A. In Nottoway?

Q. Oh, no; in the State.—A. A little over 5,000, I think; but I am speaking of my county. I am not speaking of the State.

Q. Do you apply the remarks that you made in answer to my question to your county or to the State?—A. It depends altogether upon what the questions were.

Q. You remember the question I put to you about the unanimity of the two races; you said the white people were much more—A. I was speaking of my county, because I couldn't tell you unless I had the statistics before me what was the difference all over the State. I am only speaking of facts that I know, not of generalities.

Q. Do you know of any case where the colored people were appealed to to stand by their own race and color?—A. No, sir.

Q. Never heard of such a thing as that?—A. No, sir.

Q. Did you ever hear them talking to one another?—A. Oh, yes.

Q. Did you hear anything said by one colored man to another colored man about standing by his own race?—A. Oh, yes; oftentimes. I heard the same thing both sides.

Q. Exactly; wasn't one as fair as the other?—A. Of course.

Q. Wasn't one as much to blame as the other for raising the race issue?—A. Of course.

Q. You say the race issue was as much drawn the last election as it was in 1869?—A. Yes, sir; of course I do.

Q. What was the issue in 1869?—A. The appeal was made to the white people to stand by their race.

Q. What was before the State at that time at the election?—A. In 1869?

Q. Yes.—A. Wells and Harris were candidates on the Republican side and Walker and Lewis on the Democratic side.

Q. The general election of 1869?—A. Yes, sir.

Q. And the adoption of the constitution, wasn't it?—A. Yes, sir.

Q. You say the Democrats of Lynchburg were pleased with the riot?—A. I thought so; I don't know whether they were pleased or not, but they seemed to be pleased, because they said that would insure the State to the Democracy.

Q. Were they pleased with the fact of the riot having taken place, or with the fact that when it did take place their party triumphed?—A. That is what I thought; I did not know whether they were pleased with the murdering of the men or not; I am unable to state that.

Q. One of the issues in the campaign of 1869 was whether the white men should be disfranchised or not, wasn't it?—A. Yes, sir; in one sense of the term it was.

Q. That is as to whether they should be permitted to vote and hold office under the new constitution?—A. I know the disfranchisement clause was submitted to the people.

Q. Yes; now, how did the people vote?—A. The colored people as a general thing voted against expunging this clause from the constitution, but where I live I advocated the expurgation of this clause as a Republican.

Q. There were only nine or ten thousand colored people in the whole State that voted in favor of expunging that from the constitution, were there not?—A. I don't remember now.

Q. Well, it was very small?—A. It was not very large.

Q. The great bulk of the colored people voted to disfranchise the white race, and in that, you say, the color line was drawn; don't you think it ought to have been?—A. No; I think that as the negroes were ignorant——

Mr. LAPHAM. It is hardly right to say that they voted to disfranchise the white race; they voted for the proposition to disfranchise those who were in the rebellion.

Mr. VANCE. Well, all the white people in Virginia that were worth anything were in the rebellion.

Mr. LAPHAM. Oh, no; I beg pardon there.

Mr. VANCE. Pretty much that way.

Mr. LAPHAM. A large portion of the people of Virginia stood loyal to the Union all through the war.

Mr. VANCE. Of course they did, but they were not worth much.

Mr. LAPHAM. Kept up the State government and were represented in both Houses of Congress for four years.

Mr. VANCE. Yes, such representation as it was, I admit.

Mr. LAPHAM. Well, Congress was satisfied with it.

By Mr. VANCE:

Q. Well, I believe you have answered what I wished you to answer; that the great bulk of the colored people voted against expunging that clause which allowed the white people who had taken any part in the war to exercise the right of suffrage?—A. I don't think, though, that they were responsible for it at all.

Q. Why?—A. They were ignorant and didn't know any better, and they were advised by men to vote against it.

Q. By what kind of men?—A. Well, by men who had no interest in the country.

Q. Now, is not that the same state of things that the Democratic party is still fighting against?—A. No, sir; oh, no.

Q. An ignorant mass of men led by men———A. No; I think that the Coalition—a great many leaders of the Coalition party are equal to any men or set of men that are in the old Democratic party. I never was a Democrat in my life; been a Whig all my life up to the close of the war, and I have been a Republican since.

Q. Are the colored people much better fitted to exercise control than they were in 1869?—A. They don't want control.

Q. Answer my question. You said then that they ought not to have been held responsible for their action on account of their ignorance. Are they now competent to take control of things?—A. No, sir, and they don't want control.

Q. How do you know they do not?—A. Not in my county they do not. We have always elected good men to office in the county of Not-toway.

Q. But the men whom they elect acted as their representatives, did they not? Are they not under the control of their constituents?—A. I don't know what you mean by acting.

Q. You say they do not want to control, but they want to elect men that do control?—A. Well, they are for the best interests of Virginia.

Q. The colored people are?—A. Yes; as a general thing; all they want is their rights under the law and the constitution of Virginia.

Q. Now, do they understand the best interest of Virginia better than the Democratic party?—A. I don't know as they understand it better, but they have a right to exercise an opinion.

Q. But you have said they were so ignorant in 1869 that they ought not to be held responsible?—A. At that time for voting against it, because it was all new to them. They had been in slavery all their lives; didn't know anything. Since that time they have made remarkable progress.

Q. You think they could tell now what they are voting for?—A. A good many of them could, as much so as a great many whites.

Q. And you would rather trust that class of people than trust the educated citizens of Virginia?—A. Rather trust them in what way?

Q. With the control of the government?—A. I say, not as a race or mass, but when they come in together. Have not we got good men belonging to the Coalition party, and haven't we got good men belonging to the Republican party?

Q. I don't know about that. I am in the condition of the negroes. I am ignorant on that subject, but when you go in together and the white men furnish enough men to hold the offices and the negroes do the voting, you think that is the best form of government?—A. Oh, no, I didn't say any such thing. I have never seen the Democratic party yet object to the negro vote, and I have known him to carry elections by the negro vote, and never object to it, and it is a bad rule that don't work both ways.

Q. I suppose when a man is a candidate he will take any votes that he can get?—A. Of course, I believe that is the rule of politicians.

Q. How many colored people were in the last Virginia legislature?—A. I don't recollect; I haven't the statistics before me.

Q. Were there not nine or ten?—A. I think there were.

Q. Did any of them come from your county?—A. One from Amelia and Nottoway.

Q. What is the Republican colored majority in your county?—A. In Nottoway?

Q. Yes.—A. Some five to eight hundred, on a full vote. Amelia and Nottoway sends one delegate.

Q. How many colored office-holders are there in that county?—A. I think three or four.

Q. What offices?—A. One is a constable—one of the best we have got in the county.

Q. He is not a county officer, is he?—A. Oh, yes; he is a county officer.

Q. Isn't he a township officer?—A. Yes, sir.

Q. What others?—A. We have one of the supervisors of election, a colored man named Vaughn; and we have one or two magistrates.

Q. You have no colored sheriff?—A. No, sir.

Q. Nor any colored clerk of the court?—A. No, sir.

Q. No colored county commissioner?—A. No, sir.

Q. Any colored treasurer?—A. No, sir.

Q. Any register of deeds or anything of that sort?—A. No, sir; we don't have any officer of that kind.

Q. None of the paying offices are in the hands of the colored men?—A. I don't know what you term "paying offices."

Q. Well, any office that has got a salary attached to it worth anything.—A. We never had any candidate for any of them.

Q. Never had any candidate?—A. No, sir; not colored men.

Q. Is there not intelligence enough in that number of colored men to have furnished some candidates of proper persons to hold these offices?—A. Yes, sir; they never applied for it. There never was a candidate

for it. We have two or three colored men there who are as competent to fill almost any positions as white men.

Q. Well, it is because they do not want the offices, is it not?—A. I suppose so; if a man generally wants an office he generally asks for it.

Q. How many white Republicans are in those counties you have mentioned, Amelia and Nottoway?—A. I couldn't tell you; I suppose 150 or 200, perhaps, in both counties.

Q. And the officers are selected from those?—A. No, sir; oh, no; in my county the Democratic party always hold all the offices.

Q. How do they do that with that large majority against them?—A. By the Republican vote.

Q. Why do the Republicans vote for the Democrats?—A. Why do they vote for them?

Q. Yes; why don't they take the offices themselves?—A. Well, they are not so partisan as the Democrats.

Q. They have got the majority behind them; it would not take much partisanship, with a big majority behind you, to elect your officers?—A. No, sir.

Q. Well, there is a reason for it, what is it?—A. Reason for what?

Q. For a Republican county electing Democratic officers.—A. Well, they are good men, men we have confidence in, and men who can give the bond.

Q. Exactly.

By Mr. LAPHAM:

Q. And you have your selection from among them?—A. Yes, sir; they always, as the old saying is, "tote far towards us."

By Mr. VANCE:

Q. Where were you on the day of election?—A. I was at home, at Nottoway Court-House.

Q. What kind of an election did you have?—A. A very quiet election; always have had quiet elections.

Q. Fair and square and above board?—A. Oh, yes, sir.

Q. Did your party pull up in its strength about its usual vote, or more?—A. No; a falling off in the last vote to what it was in the Cameron election. We have such a majority there we don't work the county up or canvass much, and we took it for granted we would carry it any way.

Q. Well, there was nobody kept from voting from fear of violence or fraudulent means, was there?—A. Oh, no; there never has been in my county.

By Mr. LAPHAM:

Q. You say people formed in line there and drew pistols when this band was coming up; who were they?—A. They were the men who were attending the meeting.

Q. Democrats?—A. Yes, sir.

Q. How many do you say drew their revolvers?—A. Oh, I don't know; a good many formed in line, very much excited.

Q. Were they generally armed?—A. Yes, sir.

Q. During the disturbance on that occasion?—A. And I have talked with a good many Democrats since that time about a riot at Danville, and they said there came very near being a riot here, and were very glad it did not take place. There were very exciting times here.

WASHINGTON, D. C., *Friday, March 28, 1382.*

PETER B. BOOTH sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville.

Q. What is your occupation?—A. Merchant; grocery.

Q. What is your age?—A. I am forty-seven years old.

Q. How long have you lived in Danville?—A. I have lived in Danville five years last fall.

Q. Were you at home at your place of business when this riot took place?—A. Yes, sir; I was in my store attending to my usual business.

Q. Where is your store located?—A. It is on Main street, just above and opposite where this fight occurred.

Q. The fight occurred, as we have been informed heretofore, in front of Woolfolk & Blair's office?—A. Yes, sir.

Q. Now, are you on the same side of the street?—A. No, sir; I am opposite. My house is a little above and opposite.

Q. When you say above, you mean toward the Arlington Hotel?—A. Yes, sir.

Q. You keep a grocery store?—A. Yes, sir.

Q. Now, please state what you saw the day of the fight, and what you did?—A. I was in my store attending to my business as usual, and I knew from the crowd—mostly colored people in the store, a great many colored women going to the door—that something unusual was happening on the street. I went to the door to see what it was, and I saw two men, a colored man and a white man, fighting on the opposite side of the street and a little below.

Q. Just state what they appeared to be fighting with, with weapons or anything?—A. With their fists; each had hold of the other striking one another with their fists; I went across the street to where they were; there were about three white men present when I got there, and at least one hundred and fifty darkies, and I passed by Mr. George Lea, who was above the two men fighting, and Mr. Taylor was below the two men and asking the crowd to stand back and let these men alone; "stand back." There were no weapons being used, and the darkies kept crowding up. I tried to get them to get back, and just at that moment my attention was called to the moving of Mr. Taylor from my front to my rear; I turned to see why he went there; there was a large negro man, George Adams, had caught hold of George Lea's pistol, and had jerked him down on the pavement, and Mr. Taylor walked up and struck this negro, who had pulled Mr. Lea down, with a cane, a very small cane, a black cane, and in this scuffle there was a pistol fired; whether it was fired by accident or not, I cannot tell. I turned, however, and told these parties they had fought long enough; to stop; Mr. Taylor, also, did so; I thought they were both pretty well satisfied with it, and they stopped. I then turned my attention to the crowd of darkies and asked them to disperse, to leave, and they were very threatening, exhibiting pistols, and said they were not going to leave, that they had been badly treated, and that they intended to have their rights before they quit; by that time I suppose there were two hundred gathered, and there was a crowd coming out from the opera house where there was a meeting of white men; soon after that this firing commenced; I did not know who fired the first nor the last shot.

Q. Now, about the time the firing commenced, how many of either color were there?—A. There were about fifteen white and at least two hundred, and it might have reached two hundred and fifty, blacks.

Q. What proportion of the blacks were women and children?—A. I saw no women; I saw some boys.

Q. Did you go among the negroes to ask them to disperse?—A. I did.

Q. Did you know any of them?—A. I knew some of them.

Q. Did you appeal to those you knew?—A. I did.

Q. And their reply was?—A. That they did not intend to go.

Q. You do a large trade, do you, among the colored people?—A. I do.

Q. And know several of them?—A. Yes, sir.

Q. Can you name any that had pistols?—A. There was a negro by the name of Redd—I don't know his given name. I know a great many by their faces, but don't know their names; even those who traded with me for years, I cannot tell their names.

By Mr. LAPHAM:

Q. Just answer the question, now.—A. I said there was a negro man by the name of Redd.

Q. Yes, you named him.—A. I do not know the name of any other.

By Mr. VANCE:

Q. Did not know the names of any others with pistols?—A. No, sir; I did not.

Q. What language did you hear from them that was violent or threatening?—A. Well, I heard one remark passed, "Who shot that pistol?" "Who fired that pistol?" and another one pointed over says, "There's the damned rascal did it," pointing toward George Lea; and another one remarked (I was then in among them, trying to get them to go away)—another one says, "Damn them, let them come; we are ready for them."

Q. Now, did you see anybody else aiding you in trying to get them to disperse?—A. I did.

Q. State who it was.—A. A colored policeman, Walter Withers, and Policeman Adams, a colored man, and Mr. Freeman, I think, was there, and Mr. Hatcher, and Mr. Covington—well, there were several.

Q. They were trying to do the same thing?—A. Yes, sir; trying to get them to disperse—Lea.

Q. Did you hear Captain Oliver say anything to them?—A. Oh, yes.

Q. What did he say?—A. He was trying to get them to leave; he was out among them trying to get them to leave, disperse, break it up, have no more of it, disperse; "it was a fair fight and we want to stop it right here." I wear, Saturday, in the store a large white apron with two pockets for the convenience of change; I had that on when I went there with about \$100 in silver; I don't know but there might have been a few dollars less or a few over. These factory hands come to our store to trade, and they bring their money there to get it changed to pay off their hands—the stemmers in the factory—and that is why I had this money with me; I had no notion of the riot when I went there; I had no pistol.

Q. You took no part in the fight?—A. No, sir; had no weapon; I went there without one.

Q. How were the white people arranged on the sidewalk?—A. They were promiscuously arranged; I didn't notice particularly; no alignment or anything of that sort. The white people were on the sidewalk and the negroes were over along the edge of the sidewalk, and right along the front there might have been a little hollow out of the negroes and some of the white men might have gotten out among the negroes; I for one went out several times among them, trying to get them to go.

Q. You mean the front was a little circular?—A. Yes; right in front there might have been a little circle there, closing above and below.

Q. Were you looking at the white people when they began to fire or toward the colored people?—A. I think I was looking toward the black people. I was right on the edge of the curbstone and talking with them.

Q. Did you hear any command to fire given?—A. No, sir; the first I heard was the firing.

Q. Can you give any idea how many pistols were fired at that first volley?—A. I could not tell how many; I don't suppose there were over fifty or sixty.

Q. Do you know whether the first volley was fired at the crowd or into the air?—A. I don't know; I saw men fire in this way [holding his hand up], but I don't know where the first volley was fired.

Q. Now, if the white men who fired had designed to kill, was there any possibility that they could have missed that crowd?—A. Well, there was no possible chance of missing them if they shot straight front.

Q. How far were the white men on the sidewalk from the front of the colored people in the street?—A. They were a good deal closer at times than you and I; about 2 or 3 feet.

Q. Did you see any black men fall?—A. Yes; I saw them run over one.

Q. I mean did you see any fall from the shot?—A. No, sir; I didn't see that.

Q. How long did the shooting continue?—A. I don't think it continued over half a minute; may be not that long.

Q. Half a minute?—A. Yes, sir; then the darkies commenced running.

Q. Did you see any colored men fire?—A. I did.

Q. Now, Mr. Booth, I suppose you were taking no part in the fight, and went there for the purpose of peace, and that you were cool?—A. Yes; I was.

Q. Did there seem to you to be any necessity for these white men to fire to defend themselves?—A. Well, sir, I fully believe that if they did not fire every one would have been murdered right there.

Q. Right there?—A. Yes; I do.

Q. Now did you see anything that induced you to believe, that after the colored men had run and shown no more disposition to resist, that the white people needlessly kept up the firing?—A. No, sir; I went back to my store after the firing ceased, and I put a great many colored men in my store and told them to sit down and behave themselves, which they did, fifteen or twenty, and then my brother took part of them and carried them out and walked up Main street toward the Arlington Hotel and told them to go home.

Q. Now, understand my question: Did it appear to you there was a necessity for the white people to fire to protect themselves?—A. Yes, sir.

Q. Did it further appear to you that they fired no more after the necessity had passed away?—A. They did not.

Q. As it appeared to you?—A. Oh, it appeared to me as soon as the negroes ran the firing at them ceased. There was some firing done right over at the houses.

Q. Did any colored men fire as they ran?—A. Yes, sir; I saw them fire back this way [pointing backwards] as they were running.

Q. How far were you from the door of Woolfolk & Blair's office?—A. I suppose I was two or three feet from it.

Q. Did you see men going in and getting pistols and coming out?—A. I did not.

Q. You saw nothing of that?—A. No, sir.

Q. Did you see Mr. Dance?—A. I did.

Q. Where was he?—A. The first I saw him he was standing in the door.

Q. Did he have a weapon?—A. I think I saw him with an old shot-gun.

Q. Did you hear it fired?—A. No, sir; he never fired it.

Q. Well, you could tell, I suppose, the report of a shotgun from an ordinary pocket-pistol?—A. Yes, sir.

Q. Did you hear anything but pistols fired?—A. I heard nothing but pistols.

Q. Nothing but pistols?—A. Nothing but pistols.

Q. Do you know anything whatsoever that would give the committee any information on the subject as to whether there was any preconcert to bring about this riot, among the whites?—A. I never heard of any, always to the contrary; the instructions in all the meetings I was in were always to the contrary.

Q. There was a good deal of political excitement, I suppose?—A. Yes, sir; political excitement was high—both parties.

Q. And the discreet men, I suppose, feared some trouble?—A. Yes, sir; the men generally, by their leaders, were cautioned against any such as that.

Q. Were cautioned against anything of the sort?—A. Yes, sir; all the time.

Q. Aside, now, from this extraordinary excitement there, what is the general feeling between the whites and blacks?—A. At this time?

Q. No, before that; before the excitement got up.—A. Well, I never had any bad feelings towards any of the colored people, or heard of anything, only political reports.

Q. I mean of the community towards the colored people?—A. Oh, there is no hostile feeling there towards the colored people; none to my knowledge.

Q. Were you present on the day of election?—A. I was.

Q. What was the condition of things about the polls?—A. Everything was quite orderly, as quiet an election as I ever saw held.

Q. Did everybody vote freely who desired to?—A. Yes, sir; I repeatedly tried to get the black people to go and vote and told them there was no danger in the world.

Q. What answer would they make to you?—A. Well, they didn't want to vote.

Q. Do you know what efforts were made by the authorities of the town and the leading citizens to preserve order?—A. Yes, sir; there were extra policemen appointed—I was one—to keep order, to see that order was kept at all the polls, and generally throughout the place.

Q. Troops were sent there also from Richmond?—A. Yes, sir; troops were there from Richmond.

Q. Did you hear Mr. Sims's speech?—A. I did; I heard a portion of it, only a small portion.

Q. In what terms did he speak of the signers of this circular?—A. Well, he spoke of them as scoundrels, liars, and cowards.

Q. Did he make any exception that they were in other things respectable witnessess, but in this respect they were liars and cowards and scoundrels?—A. I never heard any; I didn't stay there but a very short time; after that I left and went home.

Q. What effect did it seem to have upon the black people?—A. Well,

he was abusing the whites, and every time he would finish a sentence they would yell very loud.

Q. Give your opinion of the effect that that speech had in producing the riot.—A. In my opinion it did a good deal toward it; excited the negroes.

Q. Intensified the excitement, did it?—A. Yes, sir; his manner was very threatening.

Q. One of the witnesses here swore that you shot at him; George Adams, I think it was. Did you shoot at anybody?—A. No, sir; I did not shoot at anybody.

Q. You say that when you went out there—A. I went out without a pistol, sir. After this thing commenced the firing was over. I went back to the store, and from the show-case got a pistol; it was handed out to me, but then I did not use it in the riot, in the shooting.

Q. Did you go out any more?—A. Oh, yes; I went out and staid out.

Q. I mean while the firing was going on.—A. Oh, the firing was over before I got back there.

Q. Before you got back the firing had stopped?—A. Yes, sir.

Q. And while the firing was going on you had no pistol?—A. I had no pistol.

Q. Did you ask any colored people on the day of election when you were trying to persuade them to vote if they were afraid to vote?—A. I did.

Q. What was their reply?—A. They said they didn't want to vote.

Q. The testimony of George Adams to which I call your attention:

Q. When did Mr. Peter Booth shoot at you?—A. Directly after Mr. Lea shot at me the two last times.

A. He said something that was not correct.

Q. Did you fire at anybody?—A. No, sir; I did not shoot at anybody.

Q. Did you see into Ruffin & Blair's office while you were near the door?—A. Well, I never noticed particularly in there; I only saw Mr. Dance there at the door; I saw no one go in or no one come out except Mr. Dance.

By Mr. LAPHAM:

Q. That was Saturday afternoon?—A. Yes, sir; on the 3d of November.

Q. An occasion when the colored people are accustomed to assemble there in large numbers?—A. Yes, sir; nearly every evening, out in large numbers in Danville.

Q. Well, I am speaking now of Saturday afternoon.—A. Yes, sir; there are generally a great many of them on the street Saturday.

Q. And they were there as usual Saturday afternoon?—A. Well, I suppose there was about as many there as usual.

Q. It was market day for them, wasn't it?—A. Yes, sir.

Q. And they came to receive their wages?—A. Yes, sir; they received their wages generally at the factories where they work.

Q. Well, that afternoon? I am speaking of the time now, not the place.—A. Yes, sir; that is the day they were paid.

Q. Then they came to your store and traded?—A. Yes, sir.

Q. In large numbers?—A. Yes, sir.

Q. And you knew most of them?—A. Well, I don't know a great many of them only by their faces. I do not know their names, I mean.

Q. Well, you knew a great many of them by sight?—A. Yes, sir.

Q. Now, when this fight commenced in the street, the colored people gathered around there as they naturally would from curiosity to see what was going on, didn't they?—A. I couldn't tell what made them gather there, except to see this fighting.

Q. Now answer my question. They gathered there, as they naturally would, from curiosity to see what was going on, didn't they?—A. I don't think a natural curiosity would lead them to draw pistols—

Q. I will get to the pistols now pretty soon. I am speaking now of their coming there.—A. I suppose they would.

Q. Wasn't it as natural for them to come there as it was for you to come there to see what was going on?—A. I suppose it was.

Q. When you arrived there what was Lea doing?—A. Lea had his pistol in his hand, holding it in this position [indicating].

Q. That is enough. What was Taylor doing?—A. He was on the lower side, had his in his hand, but I don't know exactly what position he was in.

Q. Exactly; both had their pistols in sight?—A. Yes, sir.

Q. Did any other person have a pistol there at that time?—A. Yes, sir.

Q. Who? Name one.—A. I saw this fellow Redd.

Q. How did he have his pistol?—A. He had it down by his side.

Q. Now, who else did you see have a pistol exhibited there?—A. These are the only three I can call the names of.

Q. These three are all you can name?—A. Yes, sir.

Q. But you saw Redd do nothing with his pistol, did you?—A. I did not; only have it in his hand, holding it by his side this way [indicating].

Q. Jack Redd, you mean, don't you?—A. I do not know whether his name is Jack or not; his name is Redd.

Q. How far was he from Noel and Lawson?—A. I suppose 10 feet.

Q. How near were Taylor and Lea to Noel?—A. One was about 3 feet to the right of him, and the other about 3 feet above; I think about 6 feet space between them.

Q. Now, did you hear Lea say anything?—A. I heard him say, "Stand back, now, and give him a fair fight; no weapons being used."

Q. And held up his pistol as he said that?—A. His pistol pointing upwards.

Q. Did you hear Taylor say anything?—A. Yes; say "Stand back; give them a fair fight, no weapons being used." That's what they said.

Q. Did you notice whether Noel had knuckles on his hands?—A. He did not.

Q. What?—A. He did not.

Q. Do you swear he did not?—A. I don't think he did; at least I looked at his fist after he quit fighting, and I thought he had broken up his fist.

Q. Broken up his fist?—A. Yes, sir; I expected he had; I expected it would be very much bruised; I saw no knuckles on his hand.

Q. That is all you mean to say; you did not see any?—A. I did not see any.

Q. Well, you first swore he did not have any.—A. Well, I don't believe he did have them.

Q. Did you say anything?—A. Yes; I spoke to—

Q. No, while they were fighting?—A. Yes; I spoke; the first thing I said was, "Let us separate them."

Q. Who did you say that to?—A. I said that to Bob Taylor; I first spoke to this Walter Withers.

Q. What did you say to Taylor?—A. "Let's separate these fighters."

Q. Did he say anything in answer?—A. Yes, sir.

Q. What?—A. He said "All right."

Q. What did you do?—A. Just as soon as we got hold of them we separated them; I didn't want to take hold of one unless some one took hold of the other.

Q. What did you do?—A. I had my hand on Noel and asked him to stop.

Q. Did he obey you?—A. Yes, sir; when Taylor came up he did.

Q. Taylor came up to your assistance?—A. Yes, sir.

Q. And he stopped?—A. Yes, sir.

Q. Did you say you examined his hand?—A. I took hold of his hand to see if it was injured in striking.

Q. Didn't you see whether he had injured it or not?—A. Well, his hand was right bloody.

Q. Do you know what the effect is if a man strikes with these knuckles; whether they do not injure his hand?—A. I never used them; don't know anything about them.

Q. Then you don't know if he had used knuckles whether they would have aided to injure his hand?—A. If he had knuckles on I think I would have seen them; I haven't got on knuckles now.

Q. You don't answer my question. Do you know whether, if he had actually used knuckles, they would have tended to injure his hand in striking?—A. I don't know what effect that would have.

Q. Now, I want to repeat the question so that there can be no mistake about it. Can you name any other colored man who had a weapon that day besides Redd?—A. I cannot name any but Redd.

Q. Describe any one?—A. There was a large yellow man that had a pistol; ginger-cake color.

Q. Don't you know him?—A. I don't know his name.

Q. Where did he live?—A. He lives in Danville, I suppose.

Q. How old a man?—A. I would take him to be between twenty and thirty; twenty-five.

Q. Do you know what his business was?—A. No, sir; I do not.

Q. And you can give no description of him that will enable us to send for him?—A. No, sir; I can tell you he was a large yellow man.

Q. That is all you can say; he was a large yellow man?—A. Yes, sir.

Q. What his business was, where he is to be found, you cannot tell us?—A. The business among darkies changes so often I cannot tell.

Q. Now, describe any other man you saw that had a weapon?—A. Well, as they ran——

Q. No, no.—A. I was going to tell you I saw a number of them pointing pistols back and firing.

Q. Describe one.—A. Well, just in a bunch of them; I cannot describe them.

Q. Then Redd and this large yellow man are the only two you can describe?—A. Yes, sir.

Q. Do you mean to say Redd fired?—A. I did not say that.

Q. Do you mean to say that this yellow man fired?—A. I did not say that. I said——

Q. One moment; answer my question. You are not able to say that either of these men fired?—A. I am not able to say that either of these two did.

Q. That's enough, sir.—A. But I saw the pistols.

Q. Now, you keep repeating that; how many did you see have pistols?—A. I could not tell you exactly how many.

Q. Well, that answers that question, then. At what time did you go to get a pistol?—A. I started soon after the firing commenced. When starting back to the store I had no pistol.

Q. Oh, you have said that a great many times. I simply asked at what time you went to get a pistol.—A. I don't suppose I got my pistol in hand before the firing ceased.

Q. You went for it as soon as the firing commenced?—A. Yes, sir.

Q. You saw the negroes running?—A. Yes, sir.

Q. And still you went to get a pistol?—A. Yes, sir.

Q. For what did you go to get a pistol?—A. Should they return I wanted to be ready.

Q. And you really went to get that pistol apprehending they were going to return?—A. Yes, sir; that is the only thing I got it for.

Q. Was it loaded?—A. I loaded it.

Q. You loaded it yourself?—A. Yes, sir.

Q. How many bullets did you put in it?—A. Five.

Q. What kind of a pistol was it?—A. Smith & Wesson, 32-caliber.

Q. How long had you had it?—A. I don't know; I might have had it six months; we kept pistols to sell.

Q. What, in a grocery store?—A. Yes, sir.

Q. How long have you kept them?—A. Five years.

Q. How many had you sold that season?—A. Sold a good many.

Q. How many?—A. I could not tell.

Q. As near as you can tell?—A. I suppose forty.

Q. Within what period of time before this riot?—A. Within four months, and the most of them were sold to colored men.

Q. Name a colored man to whom you sold a pistol. Now, we have come to a point where, I think, you will have to tell us; name any colored man to whom you sold a pistol?—A. I sold one to William Osborn.

Q. When?—A. I couldn't tell when.

Q. About when?—A. Some time prior to the election.

Q. How long before?—A. I didn't set it down; don't set down every transaction.

Q. What kind of a pistol was that?—A. A cheap pistol; \$5.

Q. What kind of a pistol?—A. Five-shooter.

Q. Not like a Smith & Wesson?—A. No, sir; not like those.

Q. Name any other colored man to whom you have sold a pistol?—A. Wheeler Hoyt.

Q. What did you sell him?—A. I sold him one of the same sort.

Q. When was that?—A. That was some time prior to the election; two or three weeks, probably.

Q. Name any other one?—A. I don't remember now; there are seven or eight clerks, and I know the pistols have been sold from the house.

Q. No; I want the names of those to whom you are willing to say you sold pistols.—A. That is two.

Q. Yes.—A. Well, I do not remember any other one specially.

Q. How many Smith & Wesson pistols had you sold?—A. Had not sold many of them.

Q. Can you name any white person to whom you sold a pistol?—A. Only one man, in Patrick County; his name is Nally.

Q. No; in Danville, I mean; how many Smith & Wesson pistols had you?—A. I had three, I think, at the time of the riot.

Q. You loaded one?—A. Yes, sir.

Q. What was done with the other two?—A. Mr. Samuel T. Wooding, I think, loaded the other two—my partner.

Q. Your partner in business?—A. Yes, sir.

Q. What was done with the third one?—A. My brother used that one.

Q. You all three of you loaded your revolvers and went out there?—

A. No, sir; the other two didn't go out; they staid in the store.

Q. But they loaded?—Yes, sir.

Q. You are a Democrat in politics?—A. Yes, sir.

Q. And your partner and brother also?—Yes, sir.

Q. You were a member of the Democratic club?—A. Yes, sir.

Q. They had secret meetings?—A. No, sir; we did not have any secret meetings; we met in a hall there.

Q. Why, didn't you have secret meetings?—A. The Democratic club?

Q. Yes; at which the public were not allowed to attend?—A. I don't know that you can call that a secret meeting.

Q. Well, private meeting, then?—A. Well, it was a private meeting.

Q. Not open to all the public?—A. It was open to all the Democrats.

Q. Undoubtedly; but not open to the public?—A. No, sir.

Q. How many such meetings were held during that canvass?—A. I don't remember.

Q. About how many?—A. I could not tell; I was only at two or three myself.

Q. When was the last one held before this riot?—A. I couldn't tell you that.

Q. Don't you know there was one held after Sims' speech Friday night?—A. Oh, yes; there was one held before Sims——

Q. No; after?—A. No; I didn't attend it then; didn't know it.

Q. There was one held Friday night before Sims' speech, on the same night?—A. The same night.

Q. Did you attend that?—A. I was at that one.

Q. Where was that held?—A. It was held in the armory in the old post-office building.

Q. Yes, that is where the witnesses stated it was held. Had you an executive committee?—A. Yes, sir.

Q. Were you a member of that?—A. No, sir.

Q. Can you tell who were the members?—A. I cannot. I don't take but mighty little interest in politics.

Q. Can you name any of them?—A. No, sir, I cannot. I take very little interest in politics, only so far as to vote.

Q. Was Mr. Hatcher one?—A. Which Hatcher?

Q. Either of the Hatcher's?—A. I don't remember who they were; don't remember their names.

Q. Was Captain Graves one?—A. Well, he might be one, but I don't know it; don't know who is the executive committee.

Q. Was Barksdale one?—A. Yes, sir, I think he was, since you mention it.

Q. Was Noel one?—A. Not that I know of.

Q. Or Lea?—A. Not that I know of.

Q. Or Taylor?—A. Not that I know of.

Q. Now, I have exhausted your knowledge as to the colored men who had pistols; will you be kind enough to tell the committee what white men you saw with pistols on that occasion; give the name of each one?—A. I saw Walter Holland with one.

Q. Is that the man who was wounded?—A. Yes, sir; George Lea, Bob. Taylor; I don't remember now who else.

Q. Why, you were over there in front of the shop where the man stood with a musket.—A. I didn't see every man who had a pistol.

Q. Well, there is where the firing was from, wasn't it?—A. Yes, sir.

Q. Cannot you give the names of those who were there?—A. I can give the names of some of them.

Q. Well, as far as you can.—A. Mr. Ed. Hatcher didn't have any pistol, so far as I saw; Mr. Covington didn't have any. Now, that was the men that were there. I think Joel Oliver had a pistol, if I am not mistaken.

Q. Give the names of the white people who were there. You stood right in the rear of them, didn't you?—A. Well, I got to the rear after the firing commenced.

Q. Yes.—A. I don't remember now any others.

Q. Now, you stood right in the rear of the persons who first fired, didn't you?—A. Yes, but then I didn't notice——

Q. You stood there?—A. Yes.

Q. You had no weapon?—A. No, sir; I had none at all until after the thing was over.

Q. Wasn't you afraid?—A. Well, I was a little afraid to be shot.

Q. You were?—A. Yes, sir.

Q. Did any bullets whistle round you?—A. Yes, sir.

Q. Did you see anybody hit?—A. No, sir; I saw nobody hit but Walter Holland.

Q. Did you see him hit?—A. I saw him when he fell.

Q. Where was he?—A. He was right close to where I was.

Q. In the rear of the white people there?—A. He was up on the sidewalk.

Q. Up on the sidewalk?—A. Yes, sir.

Q. Which way from the group of white people?—A. He was just above where this first fight occurred.

Q. On the opposite side from the white people?—A. No, sir; he was right with the white people.

Q. Now have you named all the white people you saw with pistols?—A. I don't know that I have named them all, but I can't think of their names, who did have them and who did not.

Q. Don't you know that all the men who were in that group were armed?—A. Well, all that were not armed did arm themselves, I suppose.

Q. Where did they get them?—A. I don't know.

Q. You don't know but they went into that shop and got them?—A. I saw nobody.

Q. But you don't know but they went in it?—A. They could not have gone in there.

Q. Why?—A. Because they came from below; the opera house.

Q. Do you think they came from the opera house armed?—A. I don't know whether they did or not. I saw Mr. Blunt with a pistol.

Q. Did he come from the opera house?—A. I don't know where he came from; he came up the street.

Q. These gentlemen who came from the opera house, where did they get their arms?—A. I do not know.

Q. Don't you think they carried them; had them on their persons?—A. I don't know whether they did or not.

Q. Now, you say you don't know who fired first?—A. I do not; the first pistol that was fired was in this scuffle.

Q. I am not speaking of this accidental pistol, or whether it was by accident or design is of no consequence; I am not speaking of the dis-

charge of Lea's pistol; I am speaking now of the firing.—A. I do not know who fired first.

Q. You are unable to state?—A. I am unable to state who done the first shooting.

Q. You did not hear any order to fire?—A. There was none given that I heard.

Q. You went around before you went over there; you went into this crowd of colored people, didn't you, before you went on the sidewalk?—A. No, sir; I crossed the street above where the crowd was; crossed over and went down.

Q. I think you answered Senator Vance that you crossed over and went among them?—A. After I went down I went among them and tried to disperse them.

Q. You did not apprehend any danger to yourself, did you?—A. No, sir; not then.

Q. No violence was offered to you?—A. Only in this threatening way.

Q. No violence was offered to you; nobody offered to hit you; you did not lose any of your money?—A. I don't reckon I did.

Q. You had it in your pockets?—A. Yes, sir.

Q. Two pockets full?—A. Yes, sir.

Q. How much did you say there was?—A. There was a hundred dollars, or maybe a few dollars less.

Q. All in silver?—A. Yes, sir.

Q. You couldn't have thought it a very unsafe place, in the condition you were in, to go in among these colored people?—A. Well, I had no idea of anything getting up like it did.

Q. Of course you had not; there was no ground for any, was there?—A. I did not see any until after I got there; I saw that they were mad and threatening.

Q. Of course they were mad; one of their number had been badly whipped, hadn't he?—A. Yes, sir; it was a personal difficulty.

Q. Lawson was badly beaten, wasn't he?—A. Yes, sir; Lawson was badly beaten.

Q. Where was he beaten?—A. He was beat about over the face.

Q. His eyes closed?—A. Well, I didn't notice to see whether they were closed or not.

Q. Well, as good as closed, were they not?—A. I didn't notice.

Q. You didn't take as much notice of his face as you did of Noel's hand?—A. I didn't notice Noel's hand until after they were separated.

Q. How long after?—A. Right then.

Q. Well, Lawson's face was there at the same time, wasn't it?—A. Yes, sir; but I touched Noel this way [indicating]; Lawson was taken that way, and separated in that way.

Q. Are you able to say why the white men came there armed?—A. No, sir; I am not.

Q. What the reason for that was, you don't know?—A. I do not know.

Q. You were not a participant in any purpose to come there armed, because you went there unarmed?—A. Oh, I went there unarmed to break up this fight.

Q. Why they went armed you cannot state?—A. I cannot state that.

Q. Or whether there had been any concert to come there armed, you cannot say?—A. None that I know of.

Q. You cannot say whether there had or not?—A. None to my knowledge.

Q. That don't answer my question. Can you state whether they came there armed by an understanding among themselves?—A. I cannot, sir.

Q. Are you right in the number of pistols you sold within three or four months; forty, was it, you said?—A. I just guessed. You state that number, and I suppose that number was sold. I never took any particular notice to see how many there was sold. I sold all I could to white and to black.

Q. Where did you get yours?—A. Buy them in Baltimore.

Q. When did you make a purchase of any?—A. I don't think there had been any purchased, may be—I don't remember when.

Q. Well, about when, the last purchase you made?—A. The last purchase might have been a month or six weeks.

Q. Give the house of whom you purchased.—A. I do not remember that either. Mr. Wooding generally buys the hardware—my partner.

Q. You cannot even give the name of the house from which you made the purchase?—A. I positively cannot, because I don't know of which house we bought last time.

Q. Is your partner here?—A. No, sir.

Q. Don't you think it was within a month of this riot that you made the last purchase?—A. I could not tell positively whether it was or not; it might have been a month or six weeks or might have been two weeks.

Q. It might have been two weeks?—A. Two months, I mean.

Q. Your trade was with colored and white people, both, I suppose?—A. All; yes, sir.

Q. A large trade?—A. Yes, sir; we have a good trade.

Q. Now, you have answered Governor Vance that you think these white men who stood there in a group, of which you composed one, were actually exposed to danger?—A. I did.

Q. What danger?—A. Danger of being shot; murdered by these colored men.

Q. Why, nobody had shot, had they; had anybody shot?—A. Had anybody shot when; at what time?

Q. At the white men?—A. Yes, they did shoot at them.

Q. Had anybody at that time?—A. At the time I went out there?

Q. At the time of the first firing?—A. Why, there had nobody shot up to the time of the first firing.

Q. You were in just as much danger as anybody there, were you not?—A. I was.

Q. Was that why you went to get your pistol, and went back there?—A. Yes, sir; I went—

Q. Now, you have answered the question, because you thought you were in danger you went and loaded your pistol and went back there with it?—A. Yes, sir.

Q. That you did to avoid danger?—A. I did, that if any danger should come I would be prepared for it.

Q. Why, you went to meet danger. You are a brave man?—A. Not overly.

Q. Why, you could have staid in your shop and been free from danger, couldn't you?—A. I don't know how free I would have been in there.

Q. You did not apprehend any danger in there, did you?—A. I have seen—

Q. Answer my question; did you apprehend any danger?—A. No, sir; before I went out there I did not apprehend any danger at all.

Q. Then you went and loaded your pistol and went back where there was danger?—A. Well, the danger had all got away when I got there.

Q. Did not you go back with the design to assist your race?—A. If necessary, I did, sir.

Q. You loaded your pistol and went there for that purpose?—A. Yes, sir.

Q. And still, before you loaded your pistol, the black people had all fled like a flock of sheep?—A. Yes, sir; they had dispersed.

Q. In every direction?—A. Yes, sir.

Q. How long did you stay after you went back?—A. I didn't stay long.

Q. Where did you go when you went back with your loaded pistol?—A. I went back across the street—

Q. Where did you go?—A. I went back across the street to nearly where this difficulty occurred, so I could see down on the market.

Q. Where the fighting was?—A. Well, out in the street; I didn't go to the sidewalk; out in the street, so I could see.

Q. Now, did you see any white men there with pistols?—A. I saw a great many.

Q. Name some of those you saw.—A. I saw Colonel Cabell, Mr. Berkeley, nearly all these gentlemen in here; sitting around here.

Q. I want you to give the names of those you saw?—A. There was Captain Wood, Mr. Hubbard, Mr. Crook, Colonel Cabell, and I saw a number of men.

Q. Did any of them have weapons?—A. Yes, sir; some of them had weapons.

Q. Drawn?—A. I saw some of them have them in their hands.

Q. Did you see Mr. Hatcher?—A. Mr. Ed. Hatcher; yes, sir; I saw him.

Q. When you went back?—A. Yes, sir.

Q. Did he have a pistol?—A. No, sir.

Q. Do you mean to say he did not, or you did not see him have one?—A. I never saw him have one at all during the whole time.

Q. Can you name those you saw have pistols when you went back?—A. I saw Mr. Lea, when I went back he had a pistol, Mr. Taylor, and Mr. Jim. Lea.

Q. Any one else?—A. I don't remember anybody else.

Q. How long were you gone when you went to get your pistol, and went back; how long were you gone?—A. Just as quick as I could go and return.

Q. Well, that is like saying an article is as large as a piece of chalk; how long were you gone, is my question?—A. It could not have been half a minute or more.

Q. You think you went and got your pistol, loaded it, and went back in half a minute?—A. I loaded it as I went back; loaded it as I went across the street.

Q. You went out, then, defenceless; as you were going back to the scene of action you loaded your pistol?—A. Yes, sir.

Q. Do you mean to say after you returned there was no pistol fired there?—A. I do.

Q. At no point in the street?—A. No point at all.

Q. I think you said your brother and partner did not go back with you?—A. They did not, and did not leave the house.

Q. Were you in the meeting of your club when there was a resolution adopted withdrawing patronage from the colored men, and from white Readjusters?—A. A resolution passed to that effect.

Q. When was that?—A. I don't remember the date.

Q. Oh, well, about when?—A. Some time last fall.

Q. Well, before this riot?—A. Yes, sir.

Q. How long before?—A. I could not tell you; I don't remember dates.

Q. Give the general purport of that resolution.—A. I don't remember what that was.

Q. Well, about what was it; who moved it?—A. I don't know who moved it; I don't know whose move it was.

Q. Did you vote for it?—A. No, sir; I did not.

Q. Well, it passed, didn't it?—A. I don't think it did; I don't know whether it did or did not; there was something said about it.

Q. Well, don't you know the patronage was withdrawn?—A. No, sir; it was not withdrawn; it is not, that I know of.

Q. No; at that time, from the colored men in the market.—A. No, sir; I do not think it was ever withdrawn.

Q. Now, was not that a resolution not to trade with or to have dealings with any member of the Coalition party; was not that the resolution?—A. I never read the resolution.

Q. Well, was not that the substance of it?—A. I don't know whether it was or not.

Q. You know it was a resolution on that subject?—A. I remember hearing something of it, but never heard it, and don't know anything about it.

Q. Who was at the meeting when it was considered?—A. Well, I will tell you. I did not attend these meetings for this reason: There is a good deal of smoking, and I cannot stay in a room where there is smoking.

Q. Well, you were there at this one?—A. Well, I didn't go in and stay long.

Q. They smoked you out?—A. No, sir; I cannot stand smoke in a room.

Q. Powder you are not so afraid of?—A. Not awfully afraid, in the right place.

Q. Did you see anybody armed on election day?—A. I saw nobody; only policemen.

Q. How long were you at the polls?—A. I was there during the day, at the three precincts in Danville.

Q. Why were you at the three precincts?—A. I was a policeman; acting police.

Q. You were armed, then?—A. Yes; I had a sixteen-shooter, I think.

Q. A sixteen-shooter?—A. Yes, sir.

Q. That is a multiplication on Saturday; where did you get that?—A. Well, sir, I don't know who gave it to me now; don't know whom it belonged to; I think I got it at the armory.

Q. What was it, a Spencer rifle?—A. A Spencer rifle.

Q. Did you have your revolver, too?—A. No, sir.

Q. Couldn't carry both?—A. Well, I didn't want it.

Q. Was it loaded?—A. Yes, sir.

Q. Sixteen shots in it?—A. Yes, sir; but it wouldn't shoot. I tried it afterwards and it wouldn't go off.

Q. The rifle would not shoot itself, of course.—A. I couldn't shoot it. There were defects about it. I didn't know anything about it.

Q. You didn't know anything about it that day?—A. No, sir; I did not.

Q. You supposed it would shoot, didn't you?—A. Yes, sir.

Q. When you went back you say you were loading your pistol?—A. Yes, sir.

Q. When you got it loaded, did you carry it in your hand?—A. I don't remember exactly how I carried it; might have carried it in my hand or might have put it in my pocket.

Q. Now you might have done a great many things. Didn't you carry it in your hand?—A. I might have kept it in my hand fifteen or twenty minutes.

Q. Where did you go then?—A. Up to the corner of the old post-office.

Q. Where were you when the bell rang?—A. I was there.

Q. Was that before or after you went out with a loaded pistol?—A. That rang after I went out.

Q. The bells rang after that?—A. Yes, sir; the bells rang after I went out.

Q. Did you say there was not any firing after the bells rang?—A. None that I heard until night.

Q. That is all you mean to say?—A. Yes, sir.

Q. How near were you down to Market street?—A. I was not nearer than where the fuss first took place.

Q. How far is that?—A. From my store, or from that place do you mean? The nearest place, I reckon, I was not 50 yards. I suppose it would be 50 yards from my nearest place to the market.

Q. One hundred and fifty feet; 69 rods.—A. Yes; I suppose it would be that; I never measured it.

Q. I suppose you have given an account of your recollection of this occurrence before testifying here, have you not?—A. Yes, sir.

Q. A. To whom?—A. To the committee of forty.

Q. Anywhere else?—A. No, sir; none that I know of.

Q. Haven't you been interrogated before you were before the committee of forty?

By Mr. VANCE:

Q. Were you not before the grand jury, Mr. Booth?—A. No, sir; I don't think I was before the grand jury.

By Mr. LAPHAM:

Q. Who examined you before the committee of forty?—A. Mr. Bowen.

Q. Were you a member of the committee of forty?—A. No, sir.

Q. Or of the grand jury?—A. No, sir.

Q. Now, did you say one word about the occurrences of this riot before the committee of forty?—A. Well, I just went up there and sat down and made a statement, as you will see there.

Q. Just answer my question. Did you say one word about the occurrences of this riot in your evidence before the committee of forty?—A. I don't know that I understand you.

Q. Did you testify before the committee of forty to what you saw of this riot?—A. Well, I testified to what I thought of then. I was very busy.

Q. Did you testify before the committee of forty as to what you saw of this riot?—A. I answered all the questions that were asked me.

Q. That don't answer my question. I want an answer to my question. I am addressing myself to your memory. Did you, before the committee of forty, say anything about what you saw of this riot?—A. Yes, sir.

Q. What did you say?—A. Well, I told them—do you want me to tell as near as I can remember what the language was?

Q. Yes, sir; what you told the committee of forty you saw of this riot.—A. That I left my store and went across—that I was in my store attending to my business as usual, and from the crowd I knew there was something unusual going on on the street, and went to the door to see, and went immediately across the street, as I have stated here, and went over where this fight was going on between this colored and white man, and there I tried to disperse them and tried to break up the fight between the two and disperse the crowd.

Q. Well, you went through the statement substantially as you have here. I don't care to have you repeat it all. You went through substantially the statement as you have given it to us?—A. Well, pretty much; I have been questioned here a little closer than I was there.

Q. Did you say anything about going to get your pistol?—A. I don't think I did.

Q. You described the fight and all as you have here?—A. Yes, sir; but I described it in a hurried way.

Q. You remember that distinctly; that in a general way you gave an account of this riot.—A. Yes, sir; I told about what I saw.

Q. You are clear in your memory, are you about that?—A. I don't know as I am.

Q. I mean as to the fact of having stated it?—A. I stated the facts there.

Q. Did you sign your testimony?—A. I did.

Q. In the form of a deposition?—A. I did.

Q. Have you ever seen the published account of it?—A. Yes, sir.

Q. Have you got a copy of the report of the committee yourself?—A. I haven't one here.

Q. No; but have you one at home?—A. Yes, sir.

Q. Have you read over your testimony since it was given?—A. I might have read it; I read the whole book.

Q. That included yours, of course?—A. Yes, sir; I might have read mine more than once.

Q. Well, now, it is due to you that I should show it to you [handing report of the committee of forty to witness].—A. Well, I called no names in this.

Q. Why, you don't say a word about the riot, do you?—A. The riot?

Q. Yes.

Mr. VANCE. Why of course he does.

Mr. LAPHAM. Oh, you are not reading your testimony; you are reading somebody else's.

Mr. VANCE. On page 28. I think you are mistaken. You have got the wrong sow by the ear, certainly, judge. I think it is due to the witness now that his testimony before the committee of forty should go in.

Mr. LAPHAM. Oh, it is all in; this has already been put in by us, early.

The CHAIRMAN. I think it is proper it should go in now.

The testimony is as follows:

NOVEMBER 19, 1883.

P. B. BOOTH, being first duly sworn, deposes and says:

I heard a portion of W. E. Sim's speech, on Friday night, 2d November, 1883. He held up a paper in his hand, and said here we would read a parcel of lies gotten up against "you people"—against negro rule in Danville. I could not begin to say what he did not say. I think it the most outrageous speech I ever heard, and calculated to incite a row—to influence the negroes to attack the whites. At the close of almost every sentence he denounced the white men, and the negroes would yell.

Late in the evening, about three o'clock, Saturday, 3d November, 1883, I was in my store, attending to my business as usual. From the crowd in the store going to the door, I knew there was some excitement on the street. I went to the door and saw on the opposite side of the street from the house a white and colored man fighting. I

immediately went across the street to where it was. There were only a few white men present, and at that time there were about 100 or 150 negroes crowding on the few. I tried to disperse the negroes, and they refused to go. A negro about that time grabbed at a pistol in the hands of a white man and tried to wrench it from him, and in the scuffle for the pistol the pistol was fired. The white men were trying to keep the negroes back, so that the white man and negro should have a fair fight, as he said. The negroes fell back a little when the pistol was fired, but soon crowded up again, and several of them, pointing their fingers to the white man said: "There's the rascal that shot." I again urged them to disperse; they still refused, and one negro said in a loud voice: "Let them come, damn them; we are ready for them"—he holding his hand, at the same time, behind him, from which I believed he held a pistol in his hand. About that time the firing commenced, both negroes and whites shooting. I saw negroes, as they ran, fire back at the whites, and I saw them fire before they ran. I suppose between forty and sixty shots were fired in all by both sides. Some of the whites fired over the tops of the houses as the negroes ran. I was made special policeman Monday morning following. Order was restored immediately after the riot. There was no further disturbance anywhere. I was on duty from Monday to Wednesday morning, and during Tuesday I visited all three of the polls. I never saw a more quiet election anywhere. Outside of the police I saw no display of fire-arms anywhere. I saw a colored man at each precinct with Coalition tickets, distributing them. I saw J. B. Ralston, internal revenue collector, get one and vote it. I saw a great many colored men and told them go and vote, that there was no danger; they said they did not want to vote. I asked some of them if they were afraid to vote, and they said no. I was unarmed when I went across to the fight; it was about thirty yards from my store. I suppose there were present, when the firing commenced, about 12 or 20 whites, and about 200 or 250 negroes.

P. B. BOOTH.

By Mr. LAPHAM:

Q. Now, did you say anything to the white men about dispersing?—

A. No, sir; there were but few white men there——

Q. Well, you have answered the question now. Had you a pistol in your hand when you went in among the colored people there?—A. No, sir.

Q. But within half a minute after that you think you went and got one?—A. From the time I left the scene it was half a minute, I reckon, before I got it.

Q. Suppose the negroes had not run; suppose they had not fled; don't you think a great many more of them would have been killed?—

A. I would have been surprised——

Q. Don't you believe it is so? If they had not run like a flock of sheep, don't you believe a great many more of them would have been killed than were?—A. Yes, sir.

Q. Now, wasn't the feeling on the part of the white people in Danville—the Democrats, I mean—against the colored people and against the Readjusters very bitter during this canvass?—A. Well, among some of the leaders it was—against the leaders.

Q. More so than you had ever known it before?—A. Yes; fully as much so as it ever was.

Q. Was it not more so?—A. I guess it was more so with some of them.

Q. Had you ever known private meetings of a club held before this canvass?—A. Yes, sir.

Q. And you had been a member of them?—A. Yes, sir.

Q. You say you saw no colored women there at any time?—A. No, sir; I don't say that. Yes; I say I saw none on that street where this fight was.

Q. But in the street there?—A. On the opposite side of the street there might have been some.

Q. There were children—boys, you say?—A. There were some boys fifteen or eighteen years old.

Q. Well, it was some such an assemblage as would gather to see a

street fight, dog fight, or man fight, wasn't it?—A. Yes; came from curiosity more than anything else.

Q. Well, the moment the firing commenced the colored people ran, didn't they?—A. Yes, sir.

Q. In every direction?—A. Yes, sir; they ran in every direction.

Q. Well, were not shots fired after they ran?—A. I saw no one fire into them.

Q. But were not they fired after they ran?—A. Yes, sir; upwards.

Q. Yes, upwards; I am asking if shots were fired as they ran; I didn't ask that.

Mr. VANCE. That includes it, I think.

By Mr. LAPHAM:

Q. I have exhausted your knowledge as to the parties; I have asked you specifically as to both colored and white, and you told all you know; now my question is whether there were shots fired after the negroes ran; that is my question?—A. Yes, sir.

Q. Well, that answers it.

Mr. VANCE. Is it not competent for the witness to add that he saw shots fired by both sides as they ran?

Mr. LAPHAM. I do not think it is in answer to that.

Mr. VANCE. Well, if it is not lawful to answer questions only as to one side then you are right.

Mr. LAPHAM. I have asked him as to whether the white people and whether the colored people fired; given him every opportunity as to that; now I am simply asking him as to the time of firing.

Q. [To the witness.] Now I will ask you another question; did not the white people fire after the colored people ran?—A. Yes, sir.

Q. But I think you say you did not fire your pistol at all?—A. I did not.

Q. Do you know Adams?—A. George Adams; yes, sir.

Q. Did you see him?—A. I saw him when he was down with the pistol, with Lea, scuffling with Lea.

Q. Did not you hear the colored men demand the arrest of the white man; of Noel?—A. I did not.

Q. Or of the man who fired the pistol?—A. I did not hear the demand for any arrest.

Q. You did not hear the colored people ask for the arrest of any one?—A. No, sir; I did not.

Q. Were there any white people in the street, or were they all on the sidewalk?—A. There were some few out in among the negroes.

Q. How many white people came together there after the bells rang?—A. I couldn't tell you the number; there was a large number of them.

Q. Well, about how many should you say?—A. There might have been a hundred or a hundred and fifty.

Q. Was not there twice that?—A. I could not speak with accuracy.

Q. Could you say what portion of them were armed?—A. I could not.

Q. Have you any knowledge as to who rang the bell?—A. No, sir; I have not.

Q. Was there anything done that was usually done in case of an alarm of fire, except to ring the bell?—A. Nothing that I know of.

Q. No engine brought out, or hook and ladder companies—anything of the kind?—A. No, sir.

Q. None of the usual attendants of a fire?—A. There was nothing of that kind brought out that I saw.

Q. Did you hear the conclusion of Colonel Sims's speech on Friday night?—A. I did not.

Q. Didn't you hear him tell the colored people to go peaceably to the polls?—A. I did not.

Q. You didn't stay there?—A. No, sir.

Q. Tobacco smoke didn't drive you away from there, did it?—A. No, sir.

Q. When were you appointed on the police?—A. I think I was appointed on the Monday following.

Q. I wish you would remember a little more distinctly the time when that resolution in regard to dealing with Readjusters was offered in your meeting.—A. I cannot remember.

Q. Well, about how long was it before this riot?—A. I could not tell you with any accuracy.

Q. You can tell whether it was within two weeks or three months, can't you?—A. Well, I suppose it was within two or three or four weeks.

Q. You think it was within two or three or four weeks?—A. Yes, sir; somewhere along there.

Q. Was there a vigilance committee appointed by your club—what is called a vigilance committee?—A. I don't know whether there was or not.

Q. Or executive committee?—A. Yes, sir; there was an executive committee.

Q. Were they charged with the general conduct of the canvass?—A. I presume they were; I don't know.

Q. That was the object of their appointment, was it not?—A. I suppose so.

Q. The persons who composed it, I think you say, you are unable to name?—A. I am unable to name them; I didn't attend the meetings regularly.

Q. You are not able to name any of them, are you?—A. No, sir.

Q. Were you at the opera house meeting?—A. No, sir; I was at my place of business.

Q. When did you first see what is called the "Coalition Rule in Danville" circular?—A. That was some time—two or three weeks—before the election.

Q. Do you know where it was printed?—A. I do not.

Q. Did you sign it?—A. I did.

Q. You are one of the signers of that circular?—A. Yes, sir.

Q. Did you read it?—A. I did.

Q. Did you afterwards make an affidavit to its truth?—A. I don't think you will find my name to any affidavit.

Q. You do not think you ever went so far as to swear to the truth of it, then [examining a paper]? No; I don't think your name is signed to this list. What is your firm name?—A. Booth, Wooding & Booth.

Q. You don't remember ever making oath to the truth of it, then?—A. No, sir.

Q. Have you ever sold as many pistols within three months as you sold that fall while you have been in business there?—A. Yes; I reckon I have.

Q. Can you name the other persons in Danville who keep fire-arms?—A. Yes, sir. H. F. Vass & Company, J. R. Joplin, Schoolfield & Company, B. W. Graves—

Q. Is that Captain Graves?—A. No, sir.

Q. Go on.—A. I don't know whether any other grocers keep them or not. Three of them I mentioned are hardware stores; Graves is a grocer.

Q. Do you know anything as to their sales?—A. No, sir. R. C. White keeps a gun shop.

Q. Did you keep ammunition as well as pistols?—A. I kept cartridges; no other.

Q. That is for the breech-loaders?—A. Yes, sir.

Q. Had you no reason to apprehend this violence was to occur before you heard this fight in the street?—A. None in the world.

Q. If there was any purpose on the part of others to provoke it or bring it on you were not a party to it?—A. I was not a party and knew not of it.

By Mr. VANCE:

Q. Do you know anything about the habit, if there be such a one, of the colored people carrying arms?—A. Yes, sir; I have seen a good many colored people that brought their pistols in the store to get cartridges.

By Mr. LAPHAM:

Q. You knew there was an indictment preferred against a large number of persons that season for carrying weapons contrary to law, didn't you?—A. Yes, sir; I heard of such a thing.

Q. Now, do you say that colored people carried weapons after that to your knowledge?—A. Well, I have seen them with them since.

Q. No, but between that and the election?—A. After the election.

Q. Between the time of those indictments to the day of this riot; do you mean now to say you saw colored people with arms?—A. Yes, I do.

Q. Tell me the names of any.—A. I couldn't say; they came in the store to buy cartridges.

Q. You cannot name any one?—A. No, sir; I cannot name any names special.

W. J. DANCE sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville.

Q. What business do you do there?—A. I am in the real estate and insurance business there.

Q. With whom?—A. I am in partnership with Ruffin and Blair; Ruffin, Blair & Dance.

Q. What position did you fill at the time of this riot last fall?—A. I was clerk to Woolfolk, Ruffin & Blair then.

Q. Where were you on that occasion?—A. I was in the office.

Q. Where did the fight take place—the riot?—A. Immediately in front of our door.

Q. Just go on and give us an account of it, please.—A. I was at my desk at work; the first I knew of it was my attention was called by hearing a man halloo, "Stand back." There are four rooms in the office; I was in the second room from the street and I could see from my desk; had a stool at my desk; was seated on the stool and I could see out of the window, one of the front windows, from that stool; I leaned back and looked out and saw a man with a pistol drawn in that direction [indicating] and a crowd of negroes out in the street; I got down then off the stool. A gun had been left there that morning that had a cover on it and I got down and took the cover off and went and closed up the back office, locked up the doors, and went to the front door. By that time the two men, Noel and this colored man, Lawson, had gotten from the window to the door—facing the door.

Q. Repeat that over again about Lawson and Noel, where they had gotten.—A. They had gotten, by the time I got to the door with the gun, right in front of the door—rather to one side. Noel had Lawson backed up against the facing, one side of the door—the upper facing—and Mr. George Lea and Taylor on either side of him with drawn pistols and a large crowd of negroes in the gutter and in the street in front of them. They were ordering them to stand back; that they were having a fair fight. They were the only white men I saw when I first got to the door, and in a short while some other boys came down. One of them, I remember, was John Miller, and another, I think, was a clerk in the office, came up about the same time that John Miller did—Charles Friend—and I asked them to go down to the opera house and tell the crowd that we were in trouble up there and to come up; and they left then, and about the time they left Mr. Lea says Noel had beat Lawson enough and to separate them; and they were separated, and then Lawson started to come in our office door, and Noel went up the street, I don't know where to. I shoved Lawson out and told him he should not come in there, and he went down the street then; and then this negro police, Adams I think his name was—not Adams Withers—he came up and was trying to get the colored people to disperse, and by that time Captain Booth was there, and Captain Oliver, and several other white men had come up, and they were all trying to disperse the colored men, a large crowd of them there. There were about 4 or 5 white men there, and I suppose about 200 negroes. The negroes said that they had been imposed on and that they were going to have the thing out then, and that they were not going to leave.

A short while after that I heard a pistol fired; I don't know who fired it; I didn't see the scuffle between Lea and this negro Adams. And when the pistol fired several of the negroes rushed up closer to the sidewalk and wanted to know what damned scoundrel that was that fired the pistol. Somebody pointed to Taylor, and says "There's the damned scoundrel." Some said damned scoundrel and s—— of —— b——, and used various expressions, and others pointed to Lea. Taylor said he did not shoot, but said "I will," and had his pistol in front of him this way [indicating]; and Lea slapped himself in the chest and said, "I am the man;" and then by that time, four or five white men came up. Doctor Temple, I remember, was one of them; and Mr. Corbin, and Mr. Tom Lea, and one or two others. Mr. Hatcher was there, too. They were all trying to get the negroes to disperse; told them to go on away; that they did not want to have any trouble at all; that these two men had and a fair fight and been separated, and they said "No, damn it," they were going to have it out there; that they were going to have their rights. After the white men saw that they could not disperse them, one of them said—I don't know who it was; I heard the voice from the sidewalk there, saying—"If you won't disperse we are ready for you;" and then I saw a negro poke up his pistol in the air and say, "Damn you, come on; here's at you." Then the firing commenced. There was a volley, I suppose, of fifty or sixty shots fired.

Q. Who fired; which side?—A. Both sides. The colored men did not fire as many times as the whites, and as soon as the firing commenced the colored people all ran, and some fired as they retreated. One shot came through the door that I was standing in, over my head, and could not have missed my head more than about six inches, from the place it struck in the wall. Another one struck in the facing of the door.

Q. Do you mean in the wall inside of the room?—A. Inside of the

office; and I could see them shooting as they ran from both Nicholas & Hessberg's corner and from the corner of Market street.

Q. One is to the right and the other to the left—the corners you mentioned?—A. Yes, sir; below our office.

Q. Could these shots, the one that went into the wall inside of the room and the one that went into the facing of the door, have come from any white man's pistol?—A. No, sir; the white men were all on the sidewalk with their backs to me. I did not get out of the door at all; did not go out on the street. I staid right in the door with the gun cocked, both barrels.

Q. Both barrels?—A. Yes, sir.

Q. Did you have occasion to fire, or did you fire?—A. I did not fire.

Q. Did you have occasion to threaten to fire on anybody?—A. I threatened to fire several times, and levelled the gun several times. I saw a colored man aiming at our men several times, and I levelled at him.

Q. Did you speak to him when you levelled at him?—A. Yes, sir; and he would drop his pistol.

Q. He would drop his pistol when you spoke and he saw you had the gun pointed?—A. Yes, sir.

Q. How long did that firing last?—A. I don't suppose over thirty or forty seconds—the volleys; several shots afterwards. I suppose there was not a shot fired a minute after the volleys took place. Every shot that was fired was in about a minute except the first one. I heard that Lea fired the first one; in fact, Lea told me himself that he fired the first one.

Q. Did you see whether any of the shots that were fired by the white men were fired up in the air?—A. No, sir.

Q. Didn't see whether that was done?—A. I didn't see it.

Q. Did you see Mr. Booth when he went over to his store and came back with his pistol?—A. No, sir; I saw Mr. Booth going through the crowd of negroes shoving them back with both hands, telling them all to leave here; telling them the fight was over and "you all leave here." I saw him and Mr. Hatcher and Mr. Oliver; I saw Mr. Hatcher with a knife up his sleeve, in this way [indicating.]

Q. Did you see anybody go into your store—pass you to get pistols?—A. I wouldn't let any one go in there at all, except one or two of my young men friends; there were not more than three or four of them there. Some fifteen or twenty white men at the time the firing commenced, but I would not let any one come in there at all except the white men. A little after the firing was over I afterwards found, just as it was over, policeman Withers came in and I ordered him out. He was in there.

Q. Did you have any quantity of arms in there?—A. There were no arms, execept this gun, that was left in there accidentally that morning, and an old rustypistol.

Q. That was not in use?—A. Had not been in use some time and would not cock.

Q. It has been in proof here that there were a quantity of pistols in your office on the counter, and mention made that men went in and armed themselves and came out?—A. That was false; I was in the office the whole of the morning, and I was the only one in the office when I heard this man holler "stand back." I was the only one in the office then.

Q. R. W. Glass, a colored man, swore, "I looks in there (that is, in your office), and saw pistols in there, and saw men going in there to get pistols. I saw a bag of cartridges sitting in there."—A. That is a lie.

Q. "I saw a bag of cartridges sitting in there. I saw, I reckon, 25 or 30 pistols lying there on the table; saw men go in there and get them, coming out and shooting."—A. Well, that is a lie. I will tell you how I suppose that report originated. There was one man standing at the door—two, Tom Lea and a fellow named Hawkins, a boy about seventeen years old—standing at the door loading his pistol. It seemed to be 22-caliber, a very small pistol; and I took him by the arm and pulled him in. I says, "Come inside and load your pistol;" and Tom Lea stepped up and said, "Give me some cartridges." I said, "I haven't got any; go across to Tyack & Does and get some;" and he went across and came back, and he stood there loading his pistol, and I caught him by the arm and told him to come in. I forget whether he came in or not, but I know Hawkins came in and loaded his pistol inside of the office.

Q. Well, you say, then, that this statement that there were arms deposited in there, and that men came in there to get arms and cartridges, &c., is untrue?—A. It is false; yes, sir.

Q. And when the disturbance began you locked the back door, you say?—A. I locked the back door.

Q. So that nobody could have gone in or out there except through the door where you stood?—A. No one at all.

Q. Another witness, Elijah Cousins, stated that he saw four lads go into your office carrying two double-barrel guns apiece that morning. Did anything of that sort take place?—A. That is false.

Q. That is not so?—A. There was a young man came in the office while this thing was going on and I was standing there at the door and tried to take the gun away from me; told me not to be standing there with it in the door; that I would excite the negroes by being there with it, and told me not to stand there, and tried to get me to get out of the way, and put the gun down. I would not do it, and that was the only—

Q. I will read you a little from his testimony :

Q. Did you see any persons carrying guns?—A. I think I saw about four white lads, not grown, going there with two guns apiece.

Q. Going where?—A. Going into Mr. Woolfolk & Blair's office. I cannot recognize their names. The reason why I took particular notice of them—

Q. Just answer my questions now. You saw some persons going with guns into this office, when?—A. On Saturday morning, just about the time he told me. I was just a door below it when he told me that.

Q. What kind of guns were they?—A. They were breech-loading shot-guns.

Q. Did you see anything done with the guns?—A. I went on the rear end of the house, where I had my washing done by Mrs. Mills, and standing looking there saw two youngsters there with new guns, rubbing the guns off and loading them.

A. That's a lie.

Q. Nothing of that sort took place there?—A. No, sir. We have a back yard there, I suppose three or four times as large as this room; but there is no entrance to that yard except through our office and through a passage-way, just at the side of our door; and we had to go through another office, and that at that time was locked up.

Q. What is your age?—A. I was twenty-one last May.

Q. You were a voter, then, at the last election?—A. Yes, sir.

Q. Were you a member of any of the political clubs there?—A. I was a member of the Democratic club.

Q. Were you a frequent attendant?—A. No, sir; I don't think I attended but two meetings.

Q. You knew pretty much all that was going on in the club, did you, from talking with other members?—A. Well, I had very little to do

with it. I remember Mr. Ruffin, my partner now, would frequently have something to say about my not taking more interest in it. I did not take very much interest in it one way or the other.

Q. Do you know anything that would give the committee information as to whether this riot was preconcerted, gotten up by design?—A. Nothing at all.

Q. Had you heard anything of precipitating a riot?—A. Nothing at all; but I had been advised by a friend of mine to get a pistol and keep it; that he thought from the threats that he had heard of the negroes that they were going to attempt some violence, and advised me to carry a pistol, and I laughed at him, and told him I would not get one, and didn't get one.

Q. Did not carry one?—A. Did not get one until Wednesday after the election.

Q. Well, you have no reason then to suppose that this riot was premeditated on the part of the whites?—A. None at all.

Q. Standing as you did in the door, you had a good view of everything that was done, and I suppose heard nearly all that was said?—A. Yes, sir; I could see everything that was going on, but don't remember everything that I saw; but I had a full view of everybody there on the street.

Q. Now, do you believe, or do you not, that the white men standing there on the sidewalk, facing that angry and excited crowd of colored men, had any necessity to fire in self-defense?—A. Yes, sir.

Q. That is your opinion?—A. Yes, sir.

Q. That they had?—A. I think if they had not fired they would all have been murdered right there.

Q. Now, did you see any firing done—shooting at the black men—after that apparent necessity had passed away; did they keep up the firing longer than what appeared to be necessary to defend themselves?—A. I don't think any shots were fired after the negroes got below Nicholas and Hessberg's corner. They fired as they ran.

Q. They fired as they ran?—A. Until they got there. I could not see what they did after that.

Q. Now, after they had ceased to fire at all or present any kind of front, did the white folks fire any?—A. No, sir; not as far as I saw.

Q. Did you see Captain Graves on that occasion?—A. Yes, sir.

Q. Did you see him shoot anybody?—A. No, sir; I couldn't tell you a single man there that I saw shoot; I saw one or two loading pistols the second time.

Q. How far were you, when you were standing in the door, from Nicholas' and Hessberg's bar-room?—A. It is about as far as from here to the Senate door there—it is a little further than that.

Q. Forty or fifty feet?—A. Yes; There is a barber-shop and hardware store between Nicholas' and Hessberg's store and our office.

Q. Well, say 40 or 50 feet?—A. About that; about 45 or 50 feet.

Q. Did you see Captain Graves standing on the corner of Nicholas' and Hessberg's?—A. He was a little in front of Nicholas' and Hessberg's when I saw him.

Q. Did you see him shoot down Market street?—A. No, sir.

Q. Did you hear pistols fired after the main volley was over?—A. I heard pistols after the main volley was over; I couldn't tell whether they were on the corner or not.

Q. In what direction did you hear them?—A. I couldn't tell exactly from the sound. There were several shots fired in the middle of the

street, or from the sidewalk there in front of our office after the volley was over.

Q. I suppose after the colored people ran the shots were rather scattering, not so thick?—A. Yes, sir; just a shot occasionally. It lasted, I suppose, after the main volley, not over three-quarters to a minute.

Q. Now, standing where you were and looking over the whole matter as it occurred, did you see any colored man fall at the fire of the pistols of the white men?—A. I didn't see any colored man fall at all, and did not know that any of them had been struck until after all the firing had ceased. After it had all ceased I locked up the door—the bell rang then I remember—I locked up the front door and ran into Voss' to see if I could get a pistol. Left my gun, or this gun that was left there in the back room of the office, and went in there to see if I could get a pistol; but I could not get one. Then I ran up to the armory; was the second man to get there; found Captain Oliver there when I got there.

Q. At the armory?—A. Yes, sir.

Q. That is in the rear of the old post-office building?—A. Yes, sir.

Q. Nearly opposite the Arlington Hotel?—A. Exactly opposite.

Q. Now, as you passed up there, did you see those two colored men who were said to have been shot there?—A. I saw one on that corner, and as I came back I saw another one on the market corner.

Q. What I wanted to ask you was if the white men had designed to take life on the first volley there, was it hardly possible to have missed them; to have missed the black men when they fired?—A. No, sir.

Q. How far do you suppose they were apart—the front of the white men to the front of the colored men?—A. I suppose from here to you.

Q. That would be about 8 or 10 feet?—A. Yes, sir.

Q. Well, the black men were in a very dense mass, were they not?—A. Yes, sir; all crowded up.

Q. So that if they had intended to take life it would hardly have been possible to have missed killing them?—A. I couldn't imagine how they all got away without any being shot down right there. I didn't know whether they fired at them or in the air; I didn't see how they fired at them, but it seemed to me it would have been mighty poor shooting, if they had been aiming at them, not to have killed more than they did.

Q. Did you see any women and children in the crowd?—A. I saw some boys; I didn't see any women. Some boys, I suppose, from eight years up.

Q. How many pistols did you see in the hands of black men?—A. I saw some twenty-five or thirty. All that I could see the hands of had pistols. They were so thick though, I couldn't see far back in the crowd.

By Mr. LAPHAM:

Q. How long have you been a member of the Democratic club?—A. I don't know; I have been one some two or three months, I suppose.

Q. Prior to this time?—A. Yes, sir.

Q. From the time you were of age, I suppose?—A. Well, I was a member of several clubs there before I was of age.

Q. Anticipating that you were to be a voter that fall, you went in?—A. Yes, sir; I didn't attend though but one or two meetings.

Q. Were you present when the question of withdrawal of patronage to colored people or Readjusters was up?—A. I was there when the resolution was passed.

Q. What was that resolution?—A. Not to patronize any Coalitionist; that was about the substance of it.

Q. How long was that before this riot?—A. About two or three weeks.

Q. Was it unanimously passed?—A. Yes, sir; I think so.

Q. Do you know the fact that patronage was withdrawn from them?—A. To some extent it was.

Q. This gun which you held, you say, was accidentally left in your office that morning?—A. Yes, sir.

Q. By whom was it accidentally left?—A. Dr. Robinson was in there about 10 or 11 o'clock, and Mr. Bill Averett was in there at the time talking to him, and Dr. Robinson said he had to go over to North Danville, I think; handed Averett the gun, and told him he had to call at his store as he came back from North Danville, and asked him to take it down there, and he would get it as he went back home.

Q. Do you know what he had it there for?—A. No, sir; he had just bought it that morning, he said; and Averett went out and said he would send his porter up for it.

Q. That is what you call accidentally leaving it?—A. Yes, sir; Averett didn't send his porter.

Q. Was it loaded?—A. Yes, sir.

Q. Who loaded it?—A. I don't know.

Q. How do you know it was loaded?—A. Because I looked at it before I carried it to the door.

Q. Was it a breech-loader?—A. Yes, sir.

Q. Both barrels loaded?—A. Yes, sir.

Q. You had both locks cocked?—A. I had both cocked part of the time while I stood in the door.

Q. Why did you lock up the back door?—A. Well, I expected to leave the office. I did not know what the crowd was going to do.

Q. You say nobody could get access to the back door?—A. I say I expected to leave the office.

Q. Yes; but you say no one could get access to the office.—A. I don't leave the office at all without locking the back door.

Q. Didn't you say that no one could get access to the back door?—A. Not except climbing over a high fence; but I never leave without locking it.

Q. Do you know where this washwoman lives?—A. Yes, sir; I suppose there is a washhouse right over the fence; back of the office there.

Q. There was no entrance through the back yard?—A. No entrance through the back yard into our office.

Q. Why did you lock the back door?—A. Because I expected to go out.

Q. What occasion was there to lock it if you did go out?—A. I always lock it if I go out.

Q. What did you expect to go out for?—A. I knew there was a row on the street, and I expected to go out if it continued.

Q. Did you not take your position there in the door before there was any violence at all?—A. No, sir.

Q. Did you not before there was any shooting?—A. Yes, sir.

Q. You expected, then, when you locked the back door and went to the front door—you expected to go out?—A. Yes, sir.

Q. But there had been no shooting at that time?—A. No, sir.

Q. Lea's pistol had not been fired?—A. No, sir.

Q. Whose pistol was this in the shop?—A. It belonged to a clerk in the office—Mr. Friend.

Q. Was there any one else in the office?—A. No one at all.

Q. During the forenoon how was it?—A. During the forenoon a good many people were in off and on.

Q. At the time the doctor was there with this gun, were there not any other persons in the shop?—A. Averett, as I said before; I don't know of anybody else except Friend. I know Friend was in there at the time.

Q. What Friend?—A. A young man who lives in the office.

Q. What's his name?—A. Charles Friend.

Q. Is he here?—A. No, sir.

Q. He was a witness before the committee of forty, wasn't he?—A. Yes, sir.

Q. Were you?—A. Yes, sir.

Q. You say when you saw a colored man aiming at you—A. I did not say I saw him aiming at me.

Q. Then I misunderstood you, if you did not. The record will show who is right about it. When you saw a colored man aiming his pistol you leveled your shot-gun at him?—A. Yes, sir.

Q. Tell me any colored man that did that.—A. I couldn't tell you the name of a single colored man in the crowd except one, whose name was Lawson. I don't know whether he had a pistol or not.

Q. Did you not know any of those colored people?—A. I suppose I did, but don't recollect of seeing any that was there.

Q. You cannot name one man whom you saw have a pistol, or level one?—A. No, sir.

Q. Not even Redd?—A. Not even who?

Q. Redd.—A. I don't know him; in fact I know very few of the negroes.

Q. You didn't see the scuffle with Lea for his pistol?—A. No, sir; that was a little above our office.

Q. That was right where the fight was.—A. I know; that was ten or fifteen feet above our office.

Q. No matter where it was, you didn't see it?—A. No, sir; I didn't see it.

Q. And you didn't see Lea when he fired his pistol?—A. No, sir.

Q. You say he told you he fired it?—A. Yes, sir.

Q. At whom?—A. At Adams.

Q. At Adams?—A. Yes, sir; he told me since the riot he did.

Q. That was the first shot fired, wasn't it?—A. That was the first one I heard.

Q. Well, the first you knew of?—A. Yes, sir.

Q. How soon after did the white men fire into the crowd there?—A. I suppose it was about two minutes.

Q. Now give me the names of the white men you saw fire?—A. I could not give you the name of a single one I saw fire.

Q. Can you not name any who were then in that group?—A. Yes, sir.

Q. Well, give their names?—A. There was Mr. John Lea, George Lea, Captain Oliver, Dr. Temple, Jeff. Corbin, Mr. Hatcher—some of these had arms and some didn't—Captain Booth, Mr. Ficklin here, a young Mr. Reynolds, and several others. I can't think of any more.

Q. Is that the same Dr. Temple who left this musket in your shop?—A. Dr. Robinson left that gun in the shop.

Q. Did Dr. Temple have a weapon?—A. Yes, sir.

Q. What?—A. A pistol.

Q. Revolver?—A. Yes, sir.

Q. Now, when they fired, did they fire successive shots?—A. At first it sounded like they all came pretty much together.

Q. Yes; but did they continue to fire successive shots?—A. Well, after the volley the shots were scattering; you wouldn't hear more than two or three at a time.

Q. Well, they were from the same pistols, were they not—successive shots from the same pistols?—A. From both sides; yes, sir. The negroes fired as they ran.

Q. Can you name any colored men you saw fire?—A. No, sir; I reckon I don't know more than a dozen colored men in Danville.

Q. You say you cannot name any white men that fired?—A. No, sir.

Q. You saw white men there with pistols?—A. Yes, sir.

Q. Don't you know that they fired?—A. I don't know it.

Q. Have you any doubt about it?—A. I know that some of them loaded up the second time. I suppose they must have fired. I didn't see them.

Q. Loaded up the second time?—A. Yes, sir.

Q. You mean they exhausted five shots and then reloaded?—A. Yes, sir.

Q. You know that?—A. Yes, sir.

Q. You saw that?—A. Yes, sir; they seemed to be loading—I don't know whether they were or not—fixing their pistols.

Q. To all appearances they were reloading their pistols?—A. Yes, sir.

Q. Well, there did some persons go into your shop there to load their pistols?—A. I sent one man in there, who came in and loaded his pistol, standing in front of the door.

Q. And some boy went in with a gun?—A. There was no boy who went in with a gun at all. There was no gun there except the one I had.

Q. You spoke of more than that one that went in and loaded his pistol?—A. No, sir; I did not.

Q. Only one; when was that?—A. That was before the volley took place.

Q. Where were you from 10 to 3 o'clock?—A. I was in the office.

Q. All the while?—A. Except at dinner.

Q. That may be an important exception. How long were you at dinner?—A. I generally go to dinner promptly at one.

Q. How long are you usually gone?—A. About three-quarters of an hour.

Q. What occurred while you were at dinner you cannot state, can you?—A. No, sir.

Q. Who was there, or whether pistols were there, you cannot state?—A. No, sir. I know they were not there when I left, or when I got back.

Q. You didn't see any firing in the air, you say?—A. No, sir; I didn't notice whether they fired in the air.

Q. You stood right in the door, over the heads of these white men?—A. Yes, sir.

Q. Could you not see whether they fired horizontally?—A. I didn't notice how they fired, but some of them must have fired in the air or they must have killed more.

Q. Oh, that is reasoning.—A. I didn't see how anybody fired at all.

Q. You spoke of Hatcher having a knife?—A. Yes, sir.

Q. What kind of a knife?—A. A very small pen-knife—not a very small one; a little larger than that [indicating].

Q. Held out?—A. Held up his sleeve this way [indicating].

Q. Open?—A. Yes, sir.

Q. Can you imagine what that was for?—A. No, sir; I don't know what his motive was.

Q. He had it opened, with the blade up in his sleeve?—A. Yes, sir.

Q. How long did you stand there in the door with that musket?—A. Until the bell rang.

Q. Now, you were about to say you knew what the ringing of that bell meant?—A. Yes, sir.

Q. What?—A. I knew our signal for the Danville Grays.

Q. You knew it did not mean a fire?—A. Yes, sir.

Q. And you went directly to the armory?—A. Certainly.

Q. Because you understood that that was what it meant?—A. Yes, sir; because we have a signal to draw the company out.

Q. You went to get a pistol, I understood you to say?—A. After I locked up the office; yes, sir.

Q. Where did you go?—A. Next door—Vass's.

Q. Was that before or after the firing was over?—A. That was after all the firing was over.

Q. As soon as that general shot was fired, didn't the colored people flee like a flock of sheep?—A. Yes, sir.

Q. In every direction?—A. Yes, sir.

Q. Now, sir, didn't the whites continue to fire after they fled?—A. Yes, sir; and they fired as they ran.

Q. Well, I was not asking that.—A. Well, I just stated it.

Q. I see you did, and you have stated it a great many times; but you had not before stated that the whites fired at the colored people as they were fleeing.—A. Well, I state that now.

Q. Well, that is what I ask. Can you state who did it?—A. No, sir; I cannot tell you a man.

Q. One moment. Did not they follow them and fire?—A. No, sir.

Q. You don't mean to say that they stood in their tracks and there fired?—A. They might have moved out of their tracks. They didn't any of them run.

Q. Oh, no; but didn't they follow them up and fire as they were fleeing?—A. No, sir.

Q. How did Captain Graves get down to the corner of Market street?—A. He was at the corner when I saw him.

Q. Was he not up in that group first?—A. No, sir; I didn't see him.

Q. You say he was not there?—A. I didn't see him there. I don't know whether he was there or not, but when I saw him he was in front of Nicholas and Hessburg's corner.

Q. Didn't Hatcher go down to Market street?—A. I didn't see him go down there.

Q. Do you mean to say that he did not go?—A. I didn't see him.

Q. You don't mean to say that the whites stood in their tracks?—A. I didn't see any of them running after the negroes.

Q. I didn't ask that.—A. I didn't say they stood right in their tracks.

Q. When you locked the office door and went out, where were the white men standing?—A. They were going up the street.

Q. Did you not hear shots fired after that?—A. There were no shots fired after I locked the front door.

Q. You spoke of two colored men further up the street who had been killed?—A. One up the street and one down.

Q. You saw that afterward?—A. I saw them lying there; yes, sir.

Q. They were killed, were they not?—A. They were about dead—died pretty soon afterwards.

Q. Do you know at what time they were shot?—A. No, sir.

Q. Or by whom?—A. No, sir.

Q. How soon did you go to the armory?—A. I went there as soon as the bell rang.

Q. Did you carry your pistol there?—A. I didn't have any pistol.

Q. You didn't get one?—A. There was not any there.

Q. They were all gone at the store to which you went?—A. Yes, sir.

Q. What store did you go to?—A. Vass's.

Q. Was that where arms were kept for sale?—A. Yes, sir; they had been kept there.

Q. They are usually kept there for sale?—A. Usually kept at all the hardware stores.

Q. I am asking you about this one.—A. Yes, sir.

Q. And you went there and they were all gone?—A. Yes, sir.

Q. You couldn't get one?—A. No, sir; could not get one.

Q. Do you know when they were taken away from there?—A. No, sir.

Q. At what time did you send to the opera-house for people to come up?—A. Just after this first shot was fired.

Q. And before the general firing?—A. Yes, sir.

Q. Did they come?—A. Several of them came. The message had not gotten there, though, from what this messenger said, when these men came out.

Q. You went to the armory simply on the signal of the bell?—A. Yes, sir.

Q. Did you arm yourself there?—A. I got my musket—I am a member of the company—as soon as I got there.

Q. Where did you go?—A. To the armory.

Q. After you got your musket?—A. We formed a line. The company was formed right out in front of the armory.

Q. Immediately?—A. Yes, sir; immediately, as soon as possible.

Q. Was that by the command of any one?—A. Yes, sir.

Q. Who?—A. Captain Oliver ordered us out. I think Sergeant Wook ordered the company out. Captain Oliver was in charge. He was the only man there when I got there.

Q. Now, the race issue was pretty distinctly drawn there last fall, wasn't it, in politics?—A. Yes, sir; I think it was.

Q. You had never known anything of the kind before, had you?—A. Well, it was a little more so there the last time than it had been before. The white people generally stand together there—the majority.

Q. You had never known of a resolution withdrawing support from colored people or Coalitionists before, had you?—A. No, sir.

Q. Was that made publicly known?—A. I don't know that it was, except among—

Q. It was well understood among the Democrats, wasn't it?—A. It was understood among the Democrats.

Q. That they should refuse to give support or patronage to that class of people?—A. Yes, sir.

Q. You had never known anything of that kind before, had you?—A. No, sir.

Q. And you have lived there how long?—A. Four years last December.

Q. Who offered that resolution?—A. I don't recollect.

Q. Who was there at the time it was passed?—A. I suppose there were about 150 different persons there.

Q. All Democrats?—A. Yes, sir.

Q. Can you not give the names of any of them?—A. Yes, sir. I could give you the names of some of them. There was Judge Green, I think, was there, and Mr. Ruffin, Captain Armistead, and a good many others; I don't recollect their names. I am not sure about Judge Green being there. I think Judge Green was sick at the time.

Q. Well, the resolution was passed unanimously, you say?—A. I think it was.

Q. Had you an executive committee of your club?—A. I think they had; I don't know. That was the second meeting that I had attended at all.

Q. You cannot tell who the members of the executive committee were?—A. No, sir.

Q. They were appointed to have charge of the campaign, were they not?—A. I suppose they were.

Q. Were the meetings that you attended private meetings?—A. No, sir.

Q. Do you mean they were open to the public generally?—A. Open to all Democrats; advertised for all Democrats.

Q. But they were not open to the public at large?—A. No, sir.

Q. They were private meetings of your party?—A. Yes, sir.

Q. Intended to be so?—A. Yes, sir.

Q. I wish you would give me the name of some one black man whom you saw with a pistol.—A. I couldn't do it.

Q. Was there any record of that resolution that I referred to withdrawing support from the Coalitionists?—A. I don't know whether there was or not; I suppose the secretary of the meeting—

Q. Who was the secretary?—A. I don't recollect.

Q. You cannot give the name of the secretary?—A. No, sir.

Q. Who was the president of your club?—A. I have forgotten that; I am ashamed of it, but I have. Mr. Blair is president of our ward.

Q. Where were you the day of election?—A. The day of election I was in Danville most of the day, and I was at New Design part of the day.

Q. What occasion had you to go to New Design?—A. I went out to see how the election was running; heard that they were not voting out there, and went out.

Q. Who went with you?—A. Tom Hamlin, commonwealth attorney there in Danville.

Q. Did you go armed?—A. Yes, sir.

Q. Did he?—A. I was armed all the time.

Q. Did he?—A. Yes, sir.

Q. Did you see any others there armed?—A. I don't remember seeing any others there armed.

Q. What, at New Design?—A. I don't remember seeing any there.

Q. Were there not any other Danville people there except you?—A. There was one other Danville man there.

Q. What time in the day were you there?—A. Late in the evening.

Q. Did you not see anybody armed at the polls in Danville?—A. A good many people there got pistols out of their pockets.

Q. White people or colored people?—A. I saw both.

Q. Now, remember what you are saying. Did you see a colored man at the polls with a pistol?—A. Yes, sir.

Q. Give his name.—A. I can't do it.

Q. I wish you could.—A. I wish I could too, but I cannot.

Q. What time in the day was that?—A. Well, I was going backwards and forwards.

Q. What time in the day did you see a colored man there have a pistol?—A. I don't know; I saw armed negroes all through the day.

Q. No, I am asking at the polls now; I am not asking about anywhere else?—A. I don't know.

Q. Did you see any more than one?—A. I saw several.

Q. What, with pistols?—A. Yes, sir.

Q. On election day?—A. Yes, sir.

Q. How many whites did you see with pistols?—A. I saw several whites—a good many whites.

Q. Where were their pistols?—A. Had them outside of their pockets here [indicating].

Q. Did they not have them in their belts?—A. Well, the policemen had theirs in their belts.

Q. No, other than policemen?—A. I didn't see any except the police with belts on.

By Mr. VANCE:

Q. This man Hamlin, you say, commonwealth attorney, who went with you to New Design, was a Coalitionist, was he not?—A. He was elected there on that ticket, I think.

Q. Elected on that ticket?—A. Yes, sir.

Q. Judge Lapham has asked you to name any colored man whom you saw have a pistol on the day of election and you have not been able to do so; you were not raised in Danville, were you?—A. No, sir.

Q. You have been there about four years?—A. Four years last December.

Q. In the insurance business in which you were, you didn't have much contact with colored people, did you?—A. Very little. I have got fifty tenants on our book now, and I don't know the name of a single one of them by sight.

Q. I ask you if it is not a common thing to meet colored men every day and not know their names?—A. Yes, sir.

Q. Common not only with you, but others?—A. I suppose it is with others. They are nearer like sheep to me than anything else. I can't tell one from another unless I have known them for some time.

Q. You are positive, from what you have sworn, that you saw them with pistols in their hands and saw them fire?—A. Yes, sir.

Q. And saw them fire backward as they ran?—A. Yes, sir; and I am positive that these two bullets that I saw were fired by them.

Q. Mr. Lapham stopped you when you were going to tell about the signal that the bell made.

Mr. LAPHAM. Oh, no, I did not; I beg pardon.

By Mr. VANCE:

Well, I understood you to.

Q. Was it understood that the bell was to ring when the Danville Greys were to meet?—A. They have a certain alarm from the bell that we are called by.

Q. A certain way to ring the bell?—A. Yes, sir.

Q. Not an indiscriminate ringing of the bell?—A. No, sir.

Q. But a ringing of the bell in a certain way was a signal for the members of the Danville Greys to assemble at their armory?—A. Yes, sir.

Q. And you obeyed that signal, and learned afterwards that the company had been ordered out by Captain Oliver, at the request of Sergeant Wood?—A. I think it was Sergeant Wood.

Q. He is the sergeant of the town?—A. Yes, sir.

By Mr. LAPHAM :

Q. When was that arrangement made that there should be a peculiar signal of the bell?—A. It has been ever since I have been a member of the company.

Q. What occasion was there for calling out the militia?—A. That evening?

Q. Any time?—A. Well, we have had several occasions there; have been on guard——

Q. What, when they were called out by the ringing of that bell?—A. Yes, sir; I was waked up 2 o'clock one night by it.

Q. What was the manner of ringing different from a case of fire?—A. We are not allowed to give that.

Q. That is a secret you cannot impart?—A. Yes, sir.

Q. But it was one you understood?—A. Yes, sir.

Q. You knew when this bell rang it was not fire?—A. Yes, sir.

Q. You knew it, of course, from having seen what was going on there?—A. I knew it from that, and from the signal of the bell, too.

Q. Who was the person to ring the bell?—A. I don't know.

Q. You are in ignorance there again. He must have been some one who understood this secret?—A. I suppose so. I don't know.

Q. But who it was you don't know?—A. No, sir.

Q. Was this a matter known except to Democrats?—A. Which matter?

Q. That signal?—A. The signal for the Danville Greys is not known except to them.

Q. Were they all Democrats?—A. Most of the Danville Greys are.

Q. Now, I repeat the question again, Was that signal known to the community, or only to a select few?—A. The signal for the Danville Greys is only known to them.

Q. To that organization?—A. Yes, sir.

Q. Everybody else would have regarded it as ringing for a fire?—A. A good many thought it was a fire.

Q. Don't you know the firemen went to their quarters?—A. No, sir; but I know a good many thought there was a fire that evening.

Q. Did you hear anybody give the order to fire?—A. No, sir.

Q. Did you hear anybody demand the arrest of Lea?—A. No, sir.

Q. Well, you could not hear all that was said up there, could you?—A. I could hear all that was said loud enough for me to hear.

Q. Yes, of course, you could hear all you did hear.—A. Yes, sir.

Q. That is quite obvious. The only two persons you saw with arms when you went to the door with your musket was Lea and Taylor, wasn't it?—A. Yes, sir; they were the only two white men there.

Q. Now, I didn't ask that.—A. I answered the question.

Q. No, you didn't answer my question.

Mr. VANCE. With all due respect——

By Mr. LAPHAM :

Q. I ask you if the only two men you saw when you went to the door were Lea and Taylor?—A. The only two white men; I saw negroes.

Q. With arms in their hands at that time?—A. Yes, sir.

Q. Name one.—A. I could not.

Q. What were they doing with them?—A. Had them holding down this way by their sides.

Q. You could see colored people in that crowd with their arms down by their sides?—A. Yes, sir.

Q. Did you see anybody with arms there except Taylor and Lea?—
A. Yes, sir.

Q. How near did you see any one with arms?—A. Just at the sidewalk there—

Q. How near to Lea or Taylor?—A. About 8 or 10 feet.

Q. Describe the person you saw with one.—A. I could not describe them. There were a good many.

Q. Was your firm one of the subscribers to this Danville circular?—
A. Ruffin, Woolfolk & Blair was.

Q. Well, that was the firm at that time?—A. I was a clerk there.

Q. Certainly; you knew the fact that they signed it, didn't you?—A. I didn't know it until after it was signed; I saw it after the circular was printed.

Q. You saw it before this riot, didn't you? Did you know they made affidavit to the truth of it on the 30th of October?—A. No, sir; I didn't know that.

By Mr. VANCE:

Q. You were made to say to Mr. Lapham that the signal for the assembling of the company was only known to the members of the Danville Grays.—A. Yes, sir.

Q. Only known to them. Why was it not communicated to the public?—A. Sometimes they wanted to call them out, and they didn't want the public to know what their signal was, and they have never given it.

Q. If everybody knew the signal anybody could go and ring the bell and cause a false alarm, could they not?—A. Yes, sir.

Q. Call the company out when there was no necessity for it?—A. Yes, sir.

Q. And therefore it was that you let it be known only to members of the company?—A. Yes, sir.

Q. In order that they might be called out only when the proper authority of the company wanted them?—A. Yes, sir.

Q. Were the members of the Danville Grays all Democrats?—A. No, sir.

Q. Some of them were Republicans?—A. Yes, sir.

Q. Well, they knew the signal, did they not, as well as the rest of them?—A. Yes, sir.

By Mr. LAPHAM:

Q. Did you see any Republican member of the Grays at the armory that day?—A. Yes, sir.

Q. Tell me who.—A. There's James Wood, jr.; I think he belongs to that party.

Q. Do you know what ticket he voted?—A. He changed afterwards; I think he voted the Democratic ticket.

Q. Changed afterwards?—A. Yes, sir.

Q. Now, did you see any other one?—A. I don't remember any other one. We haven't but three or four, four or five, on the roll.

Q. I am not asking that; I am asking whom you saw at the armory on this occasion.—A. He is the only one I remember.

Q. Yes, and he voted the Democratic ticket?—A. Yes, sir; I think he told me so.

Mr. VANCE. I want to say that we will never get through unless we apply some of the rules of law to the method of conducting the examination. I think when I cross-examine, or when you cross-examine, that the other should only cross-examine as to any new matter brought

out. You go back, and go back, and go over the same thing again, and there is apparently no end of it.

Mr. LAPHAM. That's all I did; you asked if there were any Republican members.

Mr. VANCE. You had asked that question yourself.

Mr. LAPHAM. No; I think not.

Mr. VANCE. Oh, yes; you asked if they were all Democrats.

Mr. LAPHAM. He said they were all Democrats; you brought out the other. Mine was strictly a cross-examination as to a fact in proof for the first time—that there were Republican members of the military organization. I did not mean to trespass. I understand the rules that should govern as well as any one.

Mr. VANCE. Of course you do, and that is why I complain of you, because you know better.

Mr. LAPHAM. You have no right to complain when I do what I have a right to do.

Mr. VANCE. With all due respect, I don't think you are conducting the cross-examination with any regard to the rules of law. I want to save time.

Mr. LAPHAM. Then I shall perform my duty as I understand it, and be subject to your censure.

Mr. VANCE. No; I did not mean anything of that sort.

Mr. LAPHAM. You called out the fact that Republicans were members of this company for the first time.

Mr. VANCE. No; you asked that question of the witness yourself, and the witness made answer to it.

Mr. LAPHAM. I beg pardon; I asked if they were Democrats, and he responded affirmatively.

The WITNESS. No, sir.

Mr. LAPHAM. Well, the record will bear us out.

The WITNESS. I did not state that they were all Democrats, because we had some stray sheep.

Mr. LAPHAM. If necessary, I will ask the reporter to read his notes.

Mr. VANCE. I don't make any point about it, except to save time. Now, we have been all day examining two witnesses, and not more than one-quarter of the time have I taken up.

Mr. LAPHAM. Well, I don't think I have wasted it.

JOHN D. FICKLEN sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I live in Danville, just outside of the corporate limits; do business in Danville.

Q. How long have you lived there?—A. About twenty-one years.

Q. What is your age?—A. Twenty-four last December.

Q. What business do you follow?—A. I am in the insurance and real-estate business there in Danville at present. I was clerk for W. S. Patton, Sons & Co. at the time of the riot.

Q. Where were you when the riot occurred?—A. When the first shot was fired I was coming up street, and had gotten as far as W. P. Averett's shoe store; that is just the corner of Market street, not quite half a square from Ruffin & Woolfolk's office. When the volley was fired I was standing in front of Mr. Woolfolk's office, near Mr. Dance.

Q. Standing near the door in which Mr. Dance was standing?—A. Yes, sir; to the right of Mr. Dance.

Q. Were you in the door?—A. No, sir; on the sidewalk near the door.

Q. Now, when you first got up there you say the first pistol that was fired had been fired?—A. Yes, sir; I did not see that, nor who fired it; did not see the fight between Noel and Lawson.

Q. You got up there between the interval that intervened between the first fight and the general firing?—A. Yes, sir.

Q. What was doing when you got there?—A. When I got there there were some four or five white men on the pavement, Dance standing in the door with a shotgun in his hand, and, I think, two hundred or two hundred and fifty negroes standing in the gutter, facing the white fellows. Hatcher was doing the most talking when I got there—talking right smart, talking pretty loud. I heard him, because he was talking louder than anybody else.

Q. What did he say?—A. Using some strong language; saying it was a white man's town; white men should rule it; he said that. I don't recollect exactly the words he said, but I was struck by his talking pretty loud, and some of the negroes were trying to disperse the crowd; there was Walter Withers, and I think his name is Adams—Bob Adams, I think; two policemen were trying to disperse the crowd; also Mr. Corbin and Mr. Hatcher; I heard him tell the crowd to disperse.

Q. Did you see anything of Mr. Booth trying to do the same thing?—A. I did not see Mr. Booth. There were a great many persons; I heard of that, but did not see it. I was a little nervous myself, and don't know.

Q. Can you tell us anything the black folks said?—A. There was a good deal of strong language used by the black people; some of them said that they were not afraid of it; heard them several times say, "Now is the time!"

Q. Did you see any with pistols?—A. Yes, sir; I saw several black men with pistols; could not tell you the names of them, though.

Q. You could not give the names?—A. No, sir; I could not. I have been living a long time in Danville, but really do not know the names of hardly any of them; don't know the names of those who live on my own lot. I meet them on the street and pass them, and they say, "How are you, Mr. Ficklen?" and I call them "Bob," or "Jim," or something, but don't know their names.

Q. Who began the firing?—A. It was a very great surprise to me, the volley that was fired; everything was over, I think, in a minute or minute and a half. I think there were fifty or sixty shots fired, and fired immediately in the face of the negroes.

Q. Now, when the firing began, how many white people were in front of that office, on the pavement, as opposed to the black people?—A. I do not think there were over fifteen; I certainly did not see over eight or ten. I could mention some that I saw.

Q. Give as well as you can the names of those you saw?—A. I saw George Lea, Bob Taylor, Jeff Corbin, Hatcher, Joel Oliver, W. J. Dance; that is all, I think, I recollect.

Q. That is all you can call to memory?—A. Yes, sir.

Q. Did the colored people appear to yield to the persuasions and commands of the officers?—A. Not at all.

Q. To get back and disperse?—A. Not at all. I heard the two policemen say, "We have done all we could; we will stand back; we have done all we could." I heard Withers say that. I saw him afterwards, too, in the office of Mr. Dance.

Q. Withers is a colored policeman, is he not?—A. Yes, sir; and he did try hard to disperse them.

Q. When the firing began did there appear to you to be any neces-

sity for it?—A. I thought so. I was right there myself. I expected every minute to be killed myself.

Q. Were you armed?—A. I was.

Q. You thought there was a necessity for the few white men that were there to fire in order to defend themselves against that crowd?—A. I did. I do not think they would ever have gotten away from there until there had been bloodshed unless they had fired.

Q. Did you see anybody fall when the firing began?—A. No, sir; and not only did not, but did not know anybody had been shot until after I went up street.

Q. Was there any firing from the ranks of the colored people?—A. No, I could not tell you that positively. There was certainly a good deal of firing done; I could not say positively that they fired, though I certainly saw them with pistols, but could not say they fired.

Q. You saw them with pistols, but when the volley began you could not tell?—A. No, sir; it was all over so quick, you hardly had time to think about it.

Q. Did the colored people fire any that you saw, judging from the reports, after they had began to run?—A. The only think I had to judge from, one of our men fell.

Q. Who was that?—A. Holland; he was shot, and I have seen the bullet holes in the office.

Q. Did you see Mr. Holland when he was shot?—A. No, sir; I saw them just as they picked him up to carry him in.

Q. You could not then judge, as to anything you saw, from what direction the shot came?—A. No, sir.

Q. Did the white people who began the firing appear to fire any after there was no longer any necessity for it?—A. No, sir; I think not.

Q. After it was evident that the black people would make no further resistance was there any further firing?—A. I think not. That first volley that was fired was fired right in the faces of the negroes; they were all facing the sidewalk—very close to it—and after that they turned and ran, some up street, some through the stores, some through the market, and probably there were five or six shots as they turned and ran; whether they came from the blacks or whites I could not say.

Q. How far were the two ranks apart when the first volley was fired?—A. Well, some of the negroes were crowded right up close to the sidewalk, standing in the gutter, and some of the whites were standing right on the edge of the sidewalk and some back; were not arranged in any line at all; just straggling along down; most of the whites were standing side by side, but not very close together.

Q. Now, taking it for granted that the white men intended to kill the negroes when they fired, was it possible that they could have missed them at that distance?—A. I don't think so, unless the pistols were not loaded, or they did not know how to shoot.

Mr. LAPHAM. That is hardly a fact, governor; that is a mere opinion.

Mr. VANCE. It is an opinion based upon facts.

Mr. LAPHAM. Well, it is hardly competent.

By Mr. VANCE:

Q. The colored men were in a dense body, were they not?—A. Right in front of the whites they were, extending around in a sort of a circle, this way [indicating]; they were thicker right in the middle than at the end; some four or five deep in the middle there.

Q. Did you see any one going into Ruffin & Blair's office by the door

that you were standing in or near, to get weapons, and come out?—A. No, sir.

Q. Did you see any weapons or any cartridges, ammunition of any kind, inside the office?—A. I saw Mr. Dance with his gun, and I did see one boy loading his pistol in the office. I was standing there when he went in.

Q. Did you see whether he had his own ammunition or procured it in the office?—A. I think he took it out of his vest pocket.

Q. Do you know whether he came in on Mr. Dance's invitation?—A. I did not hear Mr. Dance tell him to come in, I don't think, but I saw him stand by the window and load his pistol and come out.

Q. Did you shoot?—A. No, sir.

Q. You did not?—A. No, sir.

Q. How many persons, as far as you could judge, all told, among the whites did shoot; you said there were fifty or sixty shots?—A. I don't think there were over fifteen or twenty there, to the best of my knowledge.

Q. But those who were there had five-shooters; now, whether all the shots were shot by fifteen persons, or whether they were shot by four or five shooting four or five times a piece; how was that?—A. I could not tell.

Q. Do you remember how many men you saw with pistols drawn in their hands?—A. I saw Mr. Lea and Mr. Taylor with pistols, and I think Mr. Oliver had a pistol.

Q. That was three?—A. And I am not sure whether Mr. Corbin had one or not; Hatcher did not; I had mine in my hand.

Q. You had a pistol?—A. Yes, sir; in my hand.

Q. But did not fire?—A. No, sir.

Q. Did Mr. Dance fire his gun?—A. No, sir.

Q. Did the boy whom you saw load the pistol fire?—A. I really could not tell; did not see him fire; I know he loaded his pistol and came out and went off, but I did not see where he went to.

Q. Did you see any women and children in the crowd of colored people?—A. I did not see a woman; I saw some boys; didn't see any small boys; all fifteen or sixteen years old.

Q. Well, were there any boys among those who were standing up next to the white men, the front line?—A. No, sir; I didn't see any; pretty big negroes, I thought.

Q. What did the temper and disposition of the colored people seem to be; were they angry—excited?—A. A good many of them cussing and swearing; using pretty strong language.

Q. Are you a member of any Democratic organization?—A. I was not a member of the club, but I have attended meetings of all the clubs. There were three different wards, and I attended the meetings of all of them. I was outside the corporate limits and attended all, but did not have membership in any of them.

Q. Did you know anything or hear anything that would lead you to expect there was any premeditation about getting up this riot?—A. Nothing in the world.

Q. You heard nothing of it until it came?—A. Not until it came.

Q. I suppose there was considerable political excitement and people felt uneasy?—A. A good deal; yes, sir; there had been for some time before the election.

Q. Yes; but you know nothing whatever that would lead you to expect or believe that there was any preconcert or design in the matter?—A. Nothing in the world, sir.

Q. What had led to that excitement more than ordinary elections would produce?—A. Well, sir, we had two or three pretty bad magistrates; we had something there in Danville we never had before—we had negro policemen, and the negroes were generally very impudent and insolent.

Q. I suppose a bad magistrate would not lead to any great excitement; what effect did these policemen and magistrates under the Coalition rule have upon the colored people themselves?—A. It made them very impudent; they thought they could do anything, I think, and they would sustain them in it.

Q. How was that impudence displayed; how did they act upon the streets?—A. You would have to get out of the way for them every time you passed them; and if you were with a lady they had no more respect for you than if by yourself. Several times I have had them run between myself and lady going to town, not giving way at all.

Q. Push between you and the lady?—A. Yes, sir; I have several times.

Q. You think those things added an unusual amount of excitement to the election?—A. Yes, sir, I think so; it appeared so to me.

By Mr. LAPHAM:

Q. Who did you say was your firm?—A. I was clerking for W. S. Patton, Sons & Company, bankers.

Q. Do you know whether they were signers of the circular?—A. No, sir; I do not.

Q. Do not know whether they were or not?—A. No, sir.

Q. Where was their place of business?—A. The lower end of Main street, about a square from Ruffin, Woolfolk & Blair's.

Q. How came you to go up there at the time you went?—A. I heard some noise up street, and I ran to the door and I saw a crowd, and I went back in the office to get my pistol.

Q. For what?—A. To see what was going on.

Q. What did you get your pistol for?—A. To take it along; did not know what would happen.

Q. For what?—A. Because I generally had it; I generally carry a pistol.

Q. How long had you had it?—A. I have had it over a month, that one; I have always had a pistol.

Q. Where did you get it?—A. J. E. Schoolfield & Company. I swapped it for one I had bought before.

Q. I did not ask these particulars.—A. I had one before for over a year, I think.

Q. What kind of a pistol was it?—A. 38-caliber Smith & Wesson, double action.

Q. That is, they shoot by simply pulling the trigger?—A. Yes, sir.

Q. That revolves the cylinder?—A. Yes, sir.

Q. And it will fire as fast as you can pull the trigger?—A. Five cartridges.

Q. Did some of these people in front of you fire that way?—A. I could not say.

Q. Did not you see any of them reloading?—A. No, sir; did not see any reload.

Q. You say you did not fire?—A. No, sir.

Q. Where was Holland hit?—A. What part of the body?

Q. Yes.—A. I think he was hit in the head—back part of the head.

Q. The back part of the head?—A. I think so; I don't think I ever saw the wound; heard he was.

Q. Did you see him at the time he was struck?—A. No, sir; I saw him when they carried him into the store; went in there with him.

Q. You think he was hit in the back of the head?—A. Yes, sir.

Q. Was anybody else standing there with you and Dance, who was armed?—A. That was Lea and Taylor.

Q. Well, they were out in the crowd, were they not?—A. All on the sidewalk, not out in the crowd; all on the sidewalk, not two steps between us; no one but me and Dance standing right there; Dance was right in the door.

Q. Give the exact words, as near as you can, that Hatcher used?—A. I think he said this is a "white man's town, and white men shall rule." He was cussing and swearing some.

Q. Can you give his language?—A. I do not recollect his language exactly; I think he said "damn it" several times, and several things of that kind. I don't remember exactly; just cussing pretty strong.

Q. I did not know but as he was cussing so strong you might tell a little more of it.—A. No, I don't think I could tell any more. I don't know how I could. He might have said "God damn it."

Q. Did he repeat that exclamation more than once?—A. I think he said it several times. I think he said "God damn it, this is a white man's town, and white men are going to rule it."

Q. That you thought was pretty rude, did you?—A. I don't know as I thought it was; I was not astonished at that; I had been used to cussing before.

Q. What white men cussed black men before?—A. I don't know; he was cussing black men.

Q. Did you ever hear that kind of taunt before?—A. Yes, sir; I have.

Q. When?—A. Many a time.

Q. What, from white men to colored men; "This is a white man's town and white men are going to rule it"?—A. No; not that.

Q. Did you ever hear that before?—A. No; I don't think I ever did.

Q. There could be but one meaning to that language, could there?—A. I do not know how many meanings there could be.

Q. Put yourself in the place of the colored men, and have Hatcher say that to you.—A. I thought he meant it; I would have got out of the way myself.

Q. If you had been a colored man?—A. Yes, sir.

Q. As soon as they fired the colored men did get out of the way?—A. They did.

Q. Now, don't you know they were fired on after they started to run?—A. I don't think they were. There were three or four straggling shots fired after the volley. Just as soon as the first volley was fired they ran, and as they ran I think there were four or five stray shots fired.

Q. Was this resolution withdrawing patronage from the colored people and Readjusters passed in a meeting that you attended?—A. I am not sure whether it was or not; I heard of it; I am not sure whether I was at the meeting or not.

Q. But you knew of it?—A. Yes, sir; I am not sure whether that is the resolution that you refer to or not.

Q. But the fact was that patronage was withdrawn?—A. To some extent it was, I know.

Q. Had you ever known the race issue to be drawn in any such way

before in Virginia?—A. Not quite so much so, I do not think, as it was in the last election.

By Mr. VANCE:

Q. Can you recollect the substance of that resolution as reported to you?—A. The resolution that I had reported to me was just that they had passed a resolution that patronage should be withdrawn from the Coalition persons on the market there, who had stalls on the market. The one that I heard, though, was a resolution passed at a meeting asking the gentlemen of the party, or that club, to instruct their wives not to buy their marketing from the people on the market, the Coalition colored persons that were on the market; they had a great many stalls there; the whole market was filled up with stalls occupied by the darkies, and they passed a resolution instructing their wives not to patronize them, and the boarding-house keepers, and I think to some extent it was done.

Q. Nearly all the laborers in the factories were colored men, were they not?—A. Yes, sir.

W. A. MEEKS sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville; North Danville is my residence.

Q. How long have you lived there?—A. I think about ten years.

Q. What business do you follow?—A. Hardware clerk.

Q. For whom?—A. H. L. Vass & Co.

Q. Where were you on the day of the riot?—A. I was in Danville, at the store of H. L. Vass & Co.

Q. Where is Vass & Co.'s store located with reference to Woolfolk & Blair's office?—A. It is the next door below.

Q. Next door below, between that and Hessburg's corner?—A. Yes, sir.

Q. State if you saw Mr. Noel that day just preceding the fight?—A. Yes, sir; I saw Mr. Noel and heard that he had had a fuss with a negro, and I asked him, when he came up the street—he and Mr. Lea and Mr. Taylor were together—I called them in the store and asked them if there was anything true about his having a fuss with these negroes; he says "Yes;" he says, "Come on out here." I was standing in the door, and went with him up to Ruffin, Woolfolk & Blair's office.

Q. What took place then?—A. He did not tell me who the negro was, anything about it, and he commenced beating this negro Hense Lawson; struck him with his fist; did not have anything but his fist, no brass knuckles, or anything of that kind.

Q. Did not have any weapon in his hand, or upon his hand at all?—A. No, sir.

Q. Describe what was done?—A. Well, he pelted the negro very severely in the face and then I went back in the store after that, and pretty soon I heard the firing going on and I ran back out there.

Q. Heard the firing going on?—A. Yes, sir, and I saw—

Q. Did you go out then again?—A. Yes, sir; on the street; did not go outside.

Q. What did you see when you came out?—A. I saw some darkies with pistols, and one was much taller than those who surrounded him; he had the weapon above his head just that way [indicating].

Q. Had the weapon above his head?—A. Yes, sir.

Q. Did you know him?—A. No, sir; I think it was about 38 caliber.

Q. He was a tall man?—A. Yes, sir.

Q. Was his color black or yellow?—A. Sort of ginger cake color.

Q. Just tell what you saw.—A. I saw several shots fired; did not see any of the darkies shoot; could not swear that I saw any of them shoot.

Q. You could not swear that you saw any of them shoot?—A. No, sir.

Q. How many shots were fired by the whites?—A. I do not know; it might have been white and colored together; I suppose about forty or fifty shots in all.

Q. Did you stand by until the first fight was all over?—A. Yes, sir.

Q. Did you hear anybody during the fight cry out "murder"?—A. Yes, sir.

Q. Who was it?—A. It was a yellow fellow by the name of Nat. Lawson; I learned afterwards that he was related to this Hense Lawson.

Q. It was not Hense Lawson?—A. No, sir; it was not him; and nobody was near him at all when he was crying murder. I turned to him and said, "Nobody is interfering with you;" and I said, "Shut up," and he said, "I will not do it," and he commenced hollering again.

Q. You are sure it was not Hense Lawson?—A. No, sir; I understand the testimony has been given by Mr. Blackwell that the man that was hollering murder was the one that was being beat with a stick.

Q. Yes; there were several witnesses differed about that. Did Hense Lawson seem to make resistance, or just stand and take it?—A. Yes; he was trying to get him in the collar.

Q. In your opinion how long did the firing last?—A. A very few minutes.

Q. You were not present, as I understand you turned back into your store when the general shooting commenced?—A. They commenced crowding around there so, and I went back in the store. Mr. Vass was not in at the time; he was down at the opera house meeting. I expected there would be a great rush in there and went back in the store.

Q. Did you see any appearances that indicated that these white men were in any danger?—A. Oh, yes.

Q. Did you see anybody before you returned into the store trying to disperse them and to get them to go away?—A. Yes, sir; and I thought there was so much danger there; there was only a few white people out there, and I asked Mr. Noel—no relation to Charlie Noel at all—to go down to the opera house and tell them there was a fuss being made on the streets there. I suppose most every one in town was in the opera house then; 600 or 700.

Q. The situation looked so threatening that you sent down to the opera house for help?—A. Yes, sir.

Q. Do you remember anything that the colored people said; what was their appearance; did they seem to be angry or excited, or otherwise?—A. No, sir; I do not remember.

Q. Did you see more than one with pistols?—A. No, sir; I only saw one; he was very tall and had it above his head.

Q. Had it waving over his head?—A. Yes, sir; he was the only one had it waving over his head.

Q. Did you see any colored men shooting as they ran?—A. No, sir.

Q. Do you have much acquaintance with the black population there?—A. Yes, sir; a great deal.

Q. Do you know whether any of them are in the habit of carrying

arms or not?—A. Yes, sir; I think I have sold them arms myself. I know I have sold them cartridges.

Q. To any great extent?—A. Well, no, sir; sometimes Saturday evening they would come in and get a box, or probably a dozen, or something like that.

Q. What kind of cartridges?—A. Some would be 32.

Q. I mean for a pistol or shotgun?—A. Pistol.

Q. You sold them pistol cartridges?—A. Pistol cartridges; yes, sir.

Q. Do you remember selling to colored men a short time previous to that row?—A. No, sir.

Q. You don't fix any, just previous to that, in your mind?—A. No, sir.

Q. Do you know anything about their carrying arms, otherwise than as you sold them cartridges?—A. I believe, as a general thing, they carry them, and I could mention one or two parties, colored men, who carried them; came in and probably got me to put the cartridges in, or show me the size they wanted.

Q. Are you quite sure that Noel had no brass knuckles or iron knuckles on his hand?—A. Yes, sir; I was close enough to him to have seen them, I think.

Q. You think he fought him with his naked fist?—A. Yes, sir.

Q. Did anybody interfere, or show foul play at all; anybody strike at Lawson but Noel?—A. No, sir.

Q. Taylor and Lea just stood and looked?—A. Yes, sir.

Q. Who pulled them apart?—A. I think Lea told him he had beat him enough, and he stopped of his own accord and went across the street to wash his hands.

Q. Did you see any weapon in Noel's other hand? He was striking with his right; did you see any weapon in his left?—A. No, sir.

Q. One of the witnesses here swore he had a Bowie knife in his hand.—A. He did not; because Lawson, this negro, is a very stout man, and I think Noel would have had to use both hands to keep him from getting him by the collar.

Q. Were you a member of any political club there?—A. No, sir.

Q. Did not belong to any of the clubs?—A. No, sir.

Q. Do you know anything tending to show that this riot was premeditated and gotten up by the white people?—A. No, sir; not a thing in the world.

Q. As I understand you to say, you saw Noel and his friends coming from toward the opera house?—A. I do not know whether they were coming from the opera house or not; I saw them coming up the street.

Q. And you asked him if it was true whether he had had a difficulty with a negro?—A. Yes, sir.

Q. And he said it was, and asked you to come on up street with him?—A. He says, "Come on up here."

Q. Where was Lawson standing?—A. Right in front of Ruffin & Woolfolk's office.

Q. Was he on the sidewalk?—A. Yes, sir.

Q. Who did he have with him?—A. He had a fellow by the name of Davis Lewellen, I think his name was.

Q. Anybody else?—A. No, sir.

By Mr. LAPHAM:

Q. Can you name any colored man you saw with a pistol that day?—

A. No, sir; I could not; not that day. I saw a man with a pistol—

Q. No, no; when you have answered my question I would like to have you stop. You knew of the indictments against a number of per-

sons for carrying weapons, did you not? You knew there were such indictments filed in court in the early part of that season?—A. No, sir.

Q. Don't you remember to have heard about them?—A. I don't remember it.

Q. Can you name any colored man you saw with a pistol within three months of that riot?—A. Yes, sir; I think I can.

Q. Who?—A. I know one certain; his name was Rollo Sanders.

Q. Where does he live?—A. Danville.

Q. When was that you saw him?—A. I could not say exactly now.

Q. Where was he?—A. In the store of Vass & Co.

Q. He came simply to get cartridges?—A. Yes, sir.

Q. Saturday night?—A. I do not remember exactly the day.

Q. With that exception can you name any one?—A. No, sir; I could not; could not call the names.

Q. Was your firm one of the firms that signed this Coalition rule circular? H. L. Vass & Co. is the firm?—A. Yes, sir.

Q. Do you know whether they signed that circular?—A. No, sir.

Q. You knew of the circular, didn't you?—A. Never have read the circular at all. I have heard of it, but did not read it.

Q. If I understand you, you went along up there with Noel and Lea and Taylor?—A. Yes, sir.

Q. And Noel told you he was going to have a fight?—A. No, sir; he came by the door and——

Q. Well, you asked him if he had had a difficulty with a colored man?—A. Yes, sir.

Q. And he said what?—A. He said, "Yes; come along up."

Q. Did you not understand that that had reference to further difficulty?—A. I did not know what he was going to do. I just walked out of the store and went up there.

Q. Did you see that Lea and Taylor were armed?—A. I saw it afterwards. After I got up there they drew their pistols.

Q. As soon as they got there?—A. Yes, sir.

Q. Before the fighting commenced?—A. No, sir.

Q. As soon as it commenced?—A. Yes, sir.

Q. They drew out their pistols, one each side of Noel?—A. Yes, sir; just to keep the crowd back.

Q. Well, I am asking you the fact, whether they drew their pistols as soon as that fight commenced and stood there, one each side of him; that is the fact I asked for.—A. Yes, sir.

Q. Were you armed?—A. Yes, sir; did not draw it though; did not take it out then.

Q. What did you have?—A. I had a pistol.

Q. What kind of a pistol?—A. A 32-caliber Smith & Wesson.

Q. Loaded?—A. Yes, sir.

Q. Where did you get it?—A. I had it in my pocket.

Q. You did not have it in your pocket all day, did you?—A. Well, no, sir; I did not.

Q. Now, where did you get it when you started to go up?—A. I had it in my pocket.

Q. Where did you get it?—A. I had it.

Q. How long had you had it in your pocket?—A. I had been carrying it for some time.

Q. I understood you to say just now you did not have it that day?—A. No, sir; you misunderstood me.

Q. Did you carry it all that day?—A. Yes, sir.

Q. What occasion had you to do that?—A. I had it with me all the time; I carried it before that day.

Q. How long had you been in the habit of carrying it?—A. I suppose twelve or eighteen months.

Q. Carried it daily?—A. Yes, sir; I live across from Danville, in North Danville, and I have to cross a bridge there every night.

Q. That did not require you to carry it all day, when you were in the store all day?—A. Well, I had it in my pocket. I did not anticipate any trouble that day at all.

Q. Well, you were in a hardware store?—A. Yes, sir.

Q. What kind of fire-arms do they keep there?—A. That day we did not have any.

Q. Now, I am not asking that question; what they had that day.—A. I mean we had some, too——

Q. What kind of fire-arms do they keep in that store?—A. Pistols; they did not keep any guns.

Q. How many pistols did they have in the course of that season?—A. I don't know; they never kept over three or four at a time—four or five.

Q. You understand my question; how many do you think they had in that store during that season prior to this riot?—A. I do not think we had more than ten or twelve any way.

Q. Now you say you had none there on this day?—A. Well, we did not have any that we had cartridges for to fit; we could have sold a good many that day if we had cartridges to fit them.

Q. Well you sold all you had cartridges for?—A. Yes, sir.

Q. How many did you sell?—A. Did not sell any that day.

Q. Well, within a week?—A. I don't remember.

Q. Well, you remember something about it?—A. I don't think we had gotten in an order for ten days before that.

Q. What do you mean by getting in an order?—A. I mean a northern order for buying in New York.

Q. You mean you had not sent to New York for an order?—A. Yes, sir.

Q. That was not the question I asked at all. I asked you how many you sold within a week or two weeks before this riot?—A. I do not suppose we sold more than two or three.

Q. Did you keep any other fire-arms but pistols?—A. No, sir.

Q. Don't you remember an advertisement of your firm that was issued shortly before this riot?—A. Advertisement?

Q. Yes, an advertisement for fire-arms?—A. Schoolfield used to be a partner of ours, and Vass sold out to him.

Q. Do you know to what extent they kept arms?—A. They kept guns and kept a much larger stock than we do.

Q. Was there any other place there where arms were kept?—A. Yes, sir.

Q. Where was that?—A. W. C. White keeps them there, and Valentine Brothers.

Q. Did you know anything about the quantity which those stores kept?—A. Hardware stores?

Q. Yes.—A. There was Tyack & Doe's, and Joplin's, and Schoolfield's, and White's, and Valentine's, I believe were all that kept arms.

Q. Do you know anything as to the quantity they kept for sale?—A. No, sir; I do not.

Q. Nor as to the amount of their dealings?—A. No, sir.

Q. Don't you know the fact that the white people there generally carried arms?—A. Yes, sir; and colored people carried arms.

Q. What?—A. I say they both carried arms, I think.

Q. I did not ask that question. You have answered Governor Vance about the colored people. Now, I am asking you about the white people. When Governor Vance asked you if the colored people carried arms, you did not say "yes, and the white people, too;" but when I ask you if the white people carried arms, you say "yes, and the colored people, too." Now, do you think that is a fair answer?

Mr. VANCE. Well, it answers your question certainly.

Mr. LAPHAM. Yes; and it answers more.

Mr. VANCE. You put the question in your way and the witness put his answer in his.

Mr. LAPHAM. Yes, and he must be responsible for his answer. I am only asking attention to my question.

Q. You say you did not belong to any club?—A. No, sir.

Q. Did you know of the resolution to withdraw patronage from the Readjusters and colored people?—A. No, sir; I did not belong to any.

Q. Did not you hear that a resolution had been adopted that patronage for the Readjusters and colored people in business there should be withdrawn?—A. No, sir; I do not think I ever heard of it; I might have heard of it.

Q. Did I understand you to say you did not fire your pistol?—A. I did fire it.

Q. At what time?—A. When all the rest were firing, I think.

Q. How many times did you fire it?—A. Only once.

Q. In what direction did you fire it?—A. I fired it into the street.

Q. Where the colored people were?—A. Yes, sir.

Q. Were they running?—A. No, sir.

Q. You fired into the crowd of colored people?—A. Yes, sir.

Q. Into their faces?—A. Yes, sir.

Q. You were examined before the committee of forty?—A. Yes, sir.

Q. Did you state that fact there?—A. I do not know whether I did or not. I do not know whether I was asked.

Q. You were sworn to tell the whole truth there, were you not?—A. I intended to do that.

Q. Did you fire at any particular person?—A. No, sir.

Q. Do you know whether your shot hit anybody?—A. No, sir; I do not.

Q. You do not know whether it did or not?—A. No, sir.

Q. You designed it to hit, didn't you?—A. Well, they were shooting at us—

Q. You designed it to hit, didn't you?—A. Of course I did.

Mr. VANCE. I think he has a right to answer that question just as he pleases, because it is a very narrow question.

Mr. LAPHAM. He has answered. He says he did intend.

Mr. VANCE. I know; but you stopped him in his answer. He says they were firing at him was the reason.

Mr. LAPHAM. I did not hear him say they were firing at him.

Mr. VANCE. Firing at us, was his expression.

By Mr. LAPHAM:

Q. Can you name any colored man you saw with a pistol?—A. I could not give his name.

Q. The question I ask you simply is, can you name any colored person you saw with a pistol, that day?—A. I could not call the name.

Q. Did you hear anything Hatcher said?—A. I don't remember—I heard him say something, but don't remember what it was.

Q. You have forgotten what it was?—A. There was such a crowd; I was some distance from Hatcher.

Q. Where were you?—A. Well, I was ten or twelve steps from him, I suppose.

Q. Which way did you fire, up or down street?—A. Across the street, in front of me.

Q. Towards the white men or towards the colored?—A. They were all out there together, pretty well.

Q. As soon as the pistols were fired the colored people ran, did they not?—A. No, sir; not all of them.

Q. They did not?—A. Some of them did.

Q. Did you fire before or after the general firing, or at the same time?—A. I told you I went back in the store, and as I came out a good deal of the firing had been done.

Q. And you fired after that?—A. Yes, sir.

Q. Were not the colored people running then?—A. Some of them were and some not.

By Mr. VANCE:

I understood you to say, I believe, that when Lea and Taylor went on up to see a fair fight that they did not draw and present their pistols until the colored people rushed up; was that so?—A. As soon as Noel met with this boy he commenced beating him in the face. Lea was on the opposite side and Taylor on the lower side, and this boy, Nat. Lawson, commencing hollering "murder!" and just as soon as he did the crowd commenced running over, and they presented the pistols and made the crowd keep back.

Q. Did they have the pistols presented before the crowd rushed up?—A. I don't think they did.

Q. You say you fired your pistol in the midst of the general firing?—A. No, sir; it was after the general firing.

Q. You aimed at no particular person?—A. No, sir.

Q. You did not see anybody drop when you fired?—A. No, sir.

Q. Did not see anybody drop at all, did you?—A. No, sir.

Q. No reason to think you struck any one?—A. No, sir.

Q. None at all; saw no result of it?—A. No, sir.

Q. You have already stated you thought there was a necessity for the few white men there to fire?—A. Yes, sir.

Q. How many white men were there when you ran out of the store to take part?

Mr. LAPHAM. Now, Governor, that is a complete re-examination. I want to apply your rule.

Mr. VANCE. I will withdraw it if you think it is. I do not know whether I have asked him the question or not. If I have asked him the question it is, of course. I have asked every witness the question, but I have forgotten whether I had included this one or not. My question, though, was in response to your question that he had fired.

Mr. LAPHAM. Hardly.

Mr. VANCE. That was not brought out in the main examination.

Mr. LAPHAM. If you insist upon it, ask it.

Mr. VANCE. You say you fired your pistol, "because the black people were firing at us"?—A. Yes, sir; right on us.

WASHINGTON, D. C., *Saturday, March 29, 1884.*

S. A. GOODWIN sworn and examined.

By Mr. VANCE :

Question. Where do you reside?—Answer. In Danville, Va.

Q. What is your profession?—A. I am a pastor of the Baptist church there.

Q. You are a doctor of divinity then, not a medical doctor?—A. Yes, sir.

Q. How long have you resided there?—A. I have been there nearly three years.

Q. Did you have any knowledge of this riot that occurred there on Saturday, the 3d of November?—A. I have some knowledge of it. I was not present when the riot occurred.

Q. Relate what you saw appertaining to the riot in any way.—A. I was in my study on the evening that the riot occurred, and I left my study for the purpose of seeing a member of my choir. I heard the alarm bells ringing and supposed there was a fire in town. I met a gentleman, Mr. Scott, and asked him where the fire was. He said they were fighting. I knew there was a great deal of excitement in town, and I started immediately for home. On my way home I met a negro boy with a gun, running very rapidly in the direction of the town, or where the riot took place, and he hollered to some other negroes across the street. I think the remark was, as near as I can remember, "Come on, we have got them." I went home to look after my family, and found that my little girl was absent, and I started to town for her, but met her coming home. The riot was over, and I went to look after the wounded.

Q. Went to look after the wounded?—A. Yes, sir; Mr. Holland, who was shot, was a friend of mine, and I met Mr. Holland, with his physician, on the way home, and walked up home with him, and went immediately to his room and assisted him, dressing his wound, and so on.

Q. Well, that is all you saw, I suppose, appertaining to the riot?—A. Yes, sir. I was not on the street where the riot occurred at all.

Q. Will you give us, if you please, your idea of the causes that led to that riot, whether it was premeditated, or sudden, or what produced it, and so on?

Mr. LAPHAM. How can he know that? He may say whether he knew anything of it. I don't see how he can answer that it was not premeditated.

Mr. VANCE. Well, whether he knows anything that would tend to show it.

Mr. LAPHAM. Yes, as far as his own knowledge is concerned, he can state, of course.

The WITNESS. I do not think the riot was premeditated.

Mr. LAPHAM. That, I submit, is not a proper answer.

By the CHAIRMAN :

Q. Have you any means of knowing whether it was or not? Do you know whether it was premeditated or not?—A. I think I know from my general knowledge of our citizens, and from conversations I had heard.

Q. So far as you know, you do not know that it was premeditated. Did you mix so as to form an opinion in the community there as to whether it was premeditated or not? Did you mix with the general people there sufficiently to enable you to say?—A. I mingled with our people every day.

The CHAIRMAN. I think we had better let the doctor give his opinion, and give his sources of information.

By Mr. VANCE:

Q. Give, if you please, any facts that would tend to show whether or not it was premeditated. I do not ask you for your naked opinion, but if there were any facts connected with the temper of the people, any circumstances that would tend to show design in getting up the riot. You can just answer that, yes or no, whether you do know of any such facts, or not.—A. I wish you would ask that question again; I have been taking quinine and cannot hear very well.

Q. Do you know of any facts tending to show whether the riot was premeditated or not?—A. I know of no facts.

Q. Do you know of any facts that would show the contrary?—A. Well, yes; I think I do. I have conversed with a good many of our citizens, prominent men, who figure in politics, and they were very desirous of conducting the campaign peaceably, and of preventing anything like a riot.

Q. Was it understood or supposed that violence would injure the Democratic cause?—A. Yes, sir.

Q. That was the talk among the discreet men?—A. Yes, sir.

Q. What was the state of excitement there, was it higher than usual?—A. It was very great.

Q. What had made it greater than usual?—A. I think it was owing to the vigor and acrimony with which the campaign had been conducted.

Q. Did you notice any unusual conduct on the part of the colored people?—A. Yes, sir.

Q. Was their demeanor toward the whites different from what it usually was?—A. Yes, sir.

Q. In what respect?—A. Well, sir, they were not as respectful.

Q. Do you know of any instances of rudeness on the streets or else where?—A. Well, that was almost a daily occurrence.

The CHAIRMAN. Whatever you saw, doctor, of that is proper.

By Mr. VANCE:

Q. Did any of it come within your personal knowledge?—A. Yes, sir.

Q. You can relate any you saw.—A. They refused to give the streets; blocked the streets up; were not disposed to treat you courteously at all.

Q. Well, they had as much right on the streets as the white people. Do you mean they refused to divide the street?—A. Yes, sir.

Q. Did anything of the kind ever happen to you?—A. Yes, sir.

Q. Relate it, please.—A. I was passing along the street once since I have been in Danville, and I had two colored people to brush right by me and one of them tore my coat almost off of me. I generally give the street, preferring to give it to having a collision.

Q. Were you known to the men who did that?—A. I do not know that I was. The colored people usually, where they know me, treat me very respectfully.

Q. Yes; that is why I asked the question. If they were aware of your clerical character?—A. I do not think they were. I met them very frequently in their houses—preaching to them. They always treat me very courteously and kindly there. I do not think that the time this occurred they knew me at all.

Q. Give us your idea of the disposition of the white people toward the

black people, aside, now, from any great political excitement.—A. I think they are very kindly disposed toward them indeed, and a spirit of general helpfulness.

Q. Well, in ordinary times the same kindliness is observed on the part of the black people toward the whites, is it not?—A. Yes, sir.

Q. Among the better class of them—industrious people?—A. Yes, sir.

Q. Mutually help and respect each other?—A. Yes, sir.

By Mr. LAPHAM:

Q. When was this occurrence that the two colored men treated you rudely?—A. It was three or four months before this riot occurred; it did not grow out of that at all.

Q. Were they old or young people?—A. I suppose they were about middle-aged men.

Q. Daytime or night?—A. It was just about dark.

Q. Did they say anything to you, or you to them?—A. No, sir.

Q. You were simply, you say, passing one way on the same street, and they the other, and you came in collision?—A. Yes, sir; they had a basket and rushed right by me.

Q. Exactly. Was not it the basket that hit you?—A. Yes, sir.

Q. He had been to market, I suppose?—A. I do not know where he had been.

Q. Where were you on Sunday, the 4th of November?—A. I was in Danville, Va.

Q. Whereabouts in Danville?—A. I was at home.

Q. All day?—A. No, sir; I went to my church, and the excitement was so great in town—I first went to my Sunday school, and the excitement was so great we had a conference of the pastors of the city and decided not to hold any services.

Q. That is just what I was coming to. You did not preach on Sunday?—A. No, sir.

Q. Now, were you in the streets with a musket?—A. I was on Sunday evening.

Q. Were any other clergymen in the street with a musket that you know of?—A. I do not know.

Q. Where did you get your musket?—A. I did not have any musket. You asked me a while ago if I had a musket. I would like to correct that.

Q. What was it you had?—A. I would like to state that fully.

Q. You had arms of some kind, had you not?—A. I had a gun—my own gun.

Q. What kind of a gun?—A. I had a breech-loading shot-gun that I use in——

Q. That will do.

Mr. VANCE. No; let him state it.

The WITNESS. I said I wanted to say why I was on the street with my gun.

By Mr. VANCE:

Q. State it.—A. When I got home about night I met several gentlemen. They told me negroes were congregating in large force at Jackson's Branch, and they had fired into some white men the night before, and believed that the danger was very imminent, and they said they would certainly attack the town. I thought it behooved every man who loved his home and his family to try and protect them.

By Mr. LAPHAM:

Q. Will you give the name of anybody who said that to you?—A. Yes, sir; Captain Graves was one of the men.

Q. Captain Graves said that to you; very well?—A. Various other gentlemen.

Q. Well, that is sufficient; Captain Graves is authority enough.—A. I cannot remember all of them.

Q. Where did you go with your gun?—A. I started down the street. I met several policemen who told me it was a false alarm, they thought, and I immediately went home.

Q. Was your gun loaded?—A. No, sir; I did not have it loaded at the time, for I didn't have any cartridges.

Q. Was not it loaded?—A. Sir?

Q. Did not you load it?—A. No, sir; I sent a young man to get some cartridges from a party whom I was told had some, but I learned before he came back that it was a false alarm, and I went home.

Q. So that you neither loaded nor shot?—A. No, sir; I neither loaded nor shot my gun.

Q. Well, you became satisfied that your information was all false, didn't you?—A. Yes, sir.

By Mr. VANCE:

Q. There was an alarm given, as you state, that the black people were congregating at Jackson's Branch?—A. Yes, sir.

Q. And were going to burn the town that night?—A. Yes, sir; that rumor was general all over the town, and women and children were very badly frightened. I never saw greater excitement in my life than there was Sunday evening about dark, when this thing occurred, from that until 9 or 10 o'clock at night. The rumor was general, and I believed it so firmly that I got my gun to protect my own family from murder and rapine.

Q. Did you live somewhat on the outskirts of the town?—A. Yes, sir.

Q. You believed it so firmly that you got your gun and sent off for cartridges?—A. Yes, sir.

Q. And when you were informed that probably it was a false alarm you went off home?—A. I went immediately home to my family.

Q. And used your gun in no way; and did not get cartridges, even?—A. No, sir; I did not get the cartridges. I made arrangements to have them, and I met one of the deacons of my church, who told me if they were going to fight to bring my family to his house—I live out on the suburbs of the city—and that the women had congregated there, and if we were going to fight we had better go outside of the town, that we would have a better opportunity.

Q. You had been in the army, had you not, in the late war?—A. Yes, sir.

Q. This rumor was based partly on the fact that they had fired into the police the night before, had they not?—A. Yes, sir.

Q. At the Dry Bridge, or some such place?—A. Yes, sir; they had fired into the police the night before. I did not know anything of that until Sabbath morning, and I did not anticipate——

Q. Sunday morning, I suppose, you mean?—A. Sunday morning. I did not anticipate any trouble myself at all, after the riot was over, until Sunday night. There was so much excitement in town on Sunday, that we did not have services, and I expected that it was all over with; but about night this rumor became general and widespread, and the whole city was greatly alarmed and expected to be attacked.

Q. Was there also mentioned, in connection with that rumor, something about some anonymous letters that had been received there?—

A. Yes, sir.

Q. Threatening to destroy houses, &c?—A. Yes, sir.

Q. All those things tended to swell the rumor?—A. Yes, sir.

Q. And alarmed the people?—A. Yes, sir.

Q. I will ask you further, if the rude conduct and insolent conduct of the colored people before that riot had not prepared people to believe these rumors?

The CHAIRMAN. That is going a little too far, governor, I should think.

Mr. VANCE. Well, the witness does not seem to respond to it.

The WITNESS. Well, I do not know that they were expecting until about the time of the election, the excitement was so great then that a fight was probable.

By Mr. LAPHAM:

Q. How far is Jackson's Branch from your house?—A. I suppose it is about a mile.

Q. How far did you go from your house with your gun?—A. I went about half way down the street from where I live to the main business portion of the city.

Q. The distance is what I want you to state.—A. How far did I go from my own house?

Q. How far did you go from your own house toward Jackson's Branch with your gun?—A. I did not go that way at all.

Q. Well, how far did you go from your house is all the question I want you to answer, when you went out with your gun?—A. I went down Main street.

Q. Well, how far?—A. I suppose I went half the length of the street, which, from where I live, would be about half a mile.

Q. Well, that answers it. You went about half a mile?—A. Yes, sir.

Q. Before you learned it was a false alarm?—A. Yes, sir.

Q. You expected to go to Jackson's Branch, did you not?—A. I was going wherever I was ordered to go.

Q. Whose orders did you think you were under?—A. I did not have any orders; I was going to report.

Q. You said you were going wherever you were ordered to go?—A. I was going to report to the police.

Q. Were you in the army as a soldier?—A. Yes, sir.

Q. How long were you in the service?—A. Nearly four years.

Q. In the Confederate service, I suppose?—A. Yes, sir.

By Mr. VANCE:

Q. You say you were going to report to the police?—A. Yes, sir.

Q. To learn what was required of you?—A. Yes, sir.

Q. And you turned back when you found it was a false alarm?—A. I found it was a false alarm, and went home.

L. L. BASS sworn and examined.

By Mr. VANCE:

Question. Do you reside in Danville?—Answer. I reside in North Danville, across the river.

Q. Do you do business in Danville?—A. Yes, sir, I manage a factory in Danville.

Q. Did you see anything of the riot?—A. At the time of the riot I was in the opera house.

Q. You were at the opera house?—A. Yes, sir; I heard somebody say, "There is a fuss on the street," and that George Lea had been shot. I went then to a window of the opera house, and the negroes were up the street, and the white people on the sidewalk; I could not see the white people, and I looked up the street, and looked out of the window, and saw two negroes shooting, and then they turned and ran, and one of them shot back over his shoulder.

Q. Did you know either of them?—A. I did not. I had seen them; but right here I would say, that I have been manager in Danville for six years, and have worked as high as one hundred and fifty hands, and do not know the names of twenty negroes in Danville. Their faces change every time you meet them, nearly, and in going on the street they remark, "Mr. Bass, can you give me a job of work?" or something like that; and out of one hundred and fifty hands I would not know a dozen of them by their names now.

Q. Hiring them to work, you made a pay-roll, didn't you?—A. Yes, sir, I got the names, and had it on the pay-roll, or had a list of rollers—we only hire rollers, and they hire the stemmers.

Q. You saw two men shoot?—A. Yes, sir.

Q. And then one shot back over his shoulder as he ran?—A. Over his shoulder as he ran, yes, sir.

Q. That you saw from the window of the opera house?—A. Yes, sir.

Q. You could see, you say, people in the street, but could not see the white folks on the sidewalk well, for the negroes?—A. Yes, sir.

Q. Could you tell from where you were how much firing was done; how many shots?—A. I heard fifty or sixty shots; those were the only two shots that I saw.

Q. Did you go down immediately out of the opera house?—A. Yes, sir, I did.

Q. Was there any firing after you got down?—A. When I got on the street I only saw one man with a pistol. Mr. Blunt had a pistol in his left hand; it was the only pistol I saw when I came down out of the opera house.

Q. Did you hear any firing after you got down?—A. They did not have any more firing.

Q. It was all over?—A. It was all over.

Q. Do you know anything of the custom of the black people in Danville relative to carrying arms?—A. Well, sir, some of them carry arms and some of them do not. I turned one of my hands out from my factory last year—I had hired him about fifteen minutes beforehand, and I saw a pistol in his pocket, and I sent him out on the street.

Q. You did not want him?—A. I did not want him.

Q. Did you ever see any others in possession of pistols?—A. Well, I do not think I did the last year. A year or two before that I had several hands that carried pistols.

Q. When you got down out of the opera house did you see anything of Jack Redd, a colored man?—A. I do not know Jack Redd. When I came down out of the opera house I went to Joplin's store, where a great many men were, and he had his door shut and I told him to open it, with several others in the crowd. I went in there and got a pistol and put it in my vest pocket right here [indicating], so it showed, because it is a fine for carrying concealed weapons, and I went on up street. At that time Colonel Cabell had come out, and Mr. Reagan and myself and one or two others, I do not know who else, started up street, and there was a man on Market square came up there and said some-

thing, and Reagan told him they had raised a fuss, and told him to get out of the way, and made some threats, or something, I do not know what. And Colonel Cabell told him not to hurt him. I have learned since it was Jack Redd, but who it was I do not know.

Q. You did not know him at the time?—A. I did not.

Q. You say he came up and made some remark?—A. He was standing on the corner; he said something about the negro shot, and pointed to him. The negro had been shot and fell about ten feet of where he was standing.

Q. And Reagan made some threats to him and told him———A. That he had better get out of the way.

Q. Better get out of the way?—A. Yes, sir.

Q. And then Colonel Cabell, you say, interfered?—A. Told him not to hurt him, and only to shoot when he done it to save his own life.

Q. Not to shoot at anybody except to save his own life. Did anybody shoot at that negro man that you saw?—A. They did not. Reagan, Cabell, and myself went up street together; two others, I don't remember who, and there was not a single shot fired.

Q. At that man?—A. Yes, sir.

Q. I believe I understood you to say that no shots were fired after you got down out of the opera house?—A. There was not a single shot fired until that night late when I heard several shots fired when the guard were out.

Q. Were you a member of any political club?—A. I was a member of the North Danville campaign club.

Q. Do you know of any facts tending to show that this riot was gotten up by the whites—was premeditated?—A. I do not know. I know the negroes had got very impudent, but I never thought anything of a riot until that morning, when a negro in our factory—we were closing up—said that he expected there was going to be a fuss in town on election day, and that as he was getting old he was going to stay at home, but if they came there after him that he would do the best he could, and I told him that there was not any danger of a fuss, but he said that the leaders had told him that if they elected their ticket that the colored schools would be stopped, and they would be stopped from voting, and from that moment I was fearful of some kind of a fuss.

Q. This was one of your hands in the factory?—A. Yes, sir.

Q. And this was at the time you shut up for the day?—A. Saturday morning we were in that manufactory and we were closing up work—breaking up for the season.

Q. Let me see if I understand you; what did he tell you?—A. He told me that he was an old man, and that he expected that there was going to be a fuss, and that as he was old he was going to stay at home, but if they came there after him he was going to do the best he could, and that they had been told that if the white people elected their ticket that the public schools would be stopped, and the colored people would be stopped from voting.

Q. Stopped from voting?—A. Yes, sir.

Q. Do you know his name?—A. His name is Ben Kimball, I think.

Q. Is he still working with you?—A. He is not. I think, though, he is working with the firm he was with last year—Johnson & Company.

Q. Did he say to you who told him there would be a fuss or why he thought there would be one?—A. He did not. The hands were talking something about the speech the night before. He is an old man they have had there several years, and I had just had him round there; he

was not doing anything; we were just keeping him there until we closed up, and I was asking him what they were talking about—an old man seventy-odd years old.

By Mr. LAPHAM:

Q. What club did you belong to?—A. I belonged to the North Danville Democratic campaign club.

Q. Do you know anything of a resolution to withdraw patronage from the Readjusters and colored people?—A. I heard that one passed by the club in Danville. I heard some member of our club say so; they were all talking, and somebody said that would be a good thing for us, and some one remarked that it was not any use; we did not have any Readjusters in our town except colored people.

Q. Do you know anything of an agreement or stipulation among Democrats not to rent property to that class of people?—A. I do not.

Q. You did not hear of that?—A. Well, I heard people just in conversation, maybe, but I never heard of any fact.

Q. You heard it talked about, then?—A. Yes, sir.

Q. That land owners should refuse to rent to Readjusters?—A. Yes, sir; some of them said it would be a good plan.

Q. Was not there a subscription made to pay rent to those who lost rent by that?—A. I do not know; if it was it didn't come to me.

Q. Were you a member of the executive committee?—A. I was not.

Q. Now, these fifty or sixty shots were fired before you saw these colored people fire?—A. They were fired right on in the time.

Q. Were they not first?—A. They were all firing; it was a general firing.

Q. You do not know anything about who fired first, then?—A. I do not; it sounded more like when you light a pack of squibs and throw them out on the street.

Q. The negroes were running at the time you saw them fire?—A. Well, those two were standing when they first shot, and one of them shot over his shoulder as they ran.

Q. The mass of them were fleeing, were they not?—A. They were not when they shot the first time.

Q. No, but the mass of the colored people were running, were they not, at the time?—A. They were not when these two negroes first shot; but when this negro shot the second time the mass was fleeing.

By Mr. VANCE:

Q. You say there was no plan to refuse to rent to Readjusters but it was talked about; that it would be a good thing?—A. I heard some of them remark in the North Danville drug-store—I don't know who it was—there were some thirty or forty assembled up there every night.

Q. Was it also said why it would be a good thing, or why it was deserved?—A. Well, some would argue for it and some against it, just in the general conversation; you know how a crowd will talk when they get together in a hotel, or on the street or store or anything.

Q. What reason did those who argued for it give?—A. Well, they said that then that would bring some better laborers to our town, and that there would be more factories and they would at least give half the sidewalks to our people.

Q. But so far as you know there was nothing done in pursuance of that idea?—A. If there was, I do not know it.

C. H. NORTON sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville, Va.

Q. What is your profession or business?—A. Contractor and builder.

Q. How long have you lived there?—A. About five years.

Q. How many hands do you usually employ?—A. From forty to fifty ; sometimes more.

Q. What color are they, mostly?—A. Both colors—white and black.

Q. Do you have any knowledge of the habit of the colored men in your employ as to carrying arms?—A. Yes, sir; I have seen some of them with arms.

Q. Do you know of any of them who had arms about the time of the riot?—A. I do not know the names of any, and I did not see any on their persons, though some days previous to the riot I saw several pistols in the pockets of the men while they were at work. They did not have their coats on at the time.

Q. Their coats were hanging up, were they?—A. Yes, sir.

Q. And you saw the pistols in their pockets?—A. Yes, sir.

Q. That is, some days before the riot?—A. Yes, sir.

Q. Did you observe any of them armed on the day of the riot?—A. No, I did not—none of my hands. There were very few of them at work that day.

Q. Did they stop work that day of their own motion, or did you stop them?—A. They stopped on their own accord, I suppose. I had twenty-five or thirty negroes who worked all that week, and the night after Sims's speech, or at least the morning after Sims's speech, they seemed to be very much excited, talking together during the morning. A good many of them did not come to work that morning at all, but I suppose about twenty went to work that morning and worked until dinner-time; did but very little; they seemed to be very much excited, and at 12 o'clock all of them knocked off, with the exception of two or three.

Q. Was it customary for them to knock off at that hour?—A. No, sir; always worked on until evening.

Q. Did you hear anything they said?—A. No, sir; I did not.

Q. Did they give you any reason for stopping work so early?—A. None whatever.

Q. Did those who declined to go to work at all give you any reason?—A. They said they did not care about working that evening.

Q. But those who declined to work in the morning?—A. No; none at all.

Q. Aside from this time of political excitement there, how do the whites and blacks get along together in Danville?—A. They get along very well, as a general thing, with the exception of some who are very insolent. I have a great many working for me, and last summer, particularly, they were more insolent than I ever saw them in my life, and especially in the fall.

Q. More difficult to manage?—A. More difficult to manage. For instance, you spoke to them and they would give you a lot of jaw.

Q. That was not their general custom, was it?—A. No, sir. Some of them are good men—good, honest, hard-working men—polite and do their duty, but they are very few.

Q. Were you a member of any political organization during the canvass?—A. Yes, sir; I was a member of the Danville Democratic Club, also a member of the executive committee, at least of the advisory committee.

Q. The advisory committee of that club?—A. The Third ward club.

Q. Was anything said or done looking to the production of a riot by the club?—A. Nothing whatever. If there was anything done it was more to quiet matters.

Q. Was there anything said in your club, or any precaution taken, about avoiding violence?—A. Yes, sir. There were several speeches made in the club warning the men to put up with the insolence of the negroes as much as possible.

Q. Why?—A. Because every one knew that the negroes were very insolent, and it was nothing more than what was generally expected that there would be a collision some time about election.

Q. Was it the policy of your club and advisory board to avoid violence or bring it on?—A. To avoid it in every sense of the word.

Q. Was it supposed that any violence would damage your party?—A. It was, especially in the last campaign.

By Mr. LAPHAM:

Q. Your club passed a resolution withdrawing patronage from the Readjusters and colored people, didn't it?—A. Some few that had reference to.

Q. What?—A. I say that had reference to some few—the resolution that we passed.

Q. It had reference to Readjusters?—A. Some of them, not to the whole.

Q. That you regarded as a measure of pacification, I suppose?—A. I regarded that as a measure of necessity.

Q. Well, did you regard it as a measure of pacification, that it was calculated to bring about a good state of feeling?—A. Yes, sir, I did.

Q. You supported it with that idea?—A. Yes, sir.

Q. That it would help to produce a good state of feeling?—A. Yes, sir; in the long run.

Q. Did you know also of a project to refuse to rent property to that class of people?—A. Do you mean any definite action of that nature?

Q. No; but was it not discussed?—A. They talked about it privately. I do not know whether they ever talked about it in the club or not.

Q. Was not there a paper drawn up and signed, and did not you yourself sign it?—A. I disremember at this time.

Q. Do not you remember that there was an agreement to pay money to those who lost money by refusing to rent to such people?—A. Yes, sir; I remember that.

Q. Were not you a party to that arrangement?—A. I was.

Q. You thought that was a measure that was calculated to bring peace there, did you?—A. I thought it was a measure to protect ourselves.

Q. How long before this riot was that?—A. That was several weeks.

Q. How much was subscribed, do you remember?—A. I do not remember.

Q. Well, quite a large sum, was it not?—A. I do not think there was any collection taken at all.

Q. But subscription I am asking about?—A. I do not think there was any subscription.

Q. Was not it understood that if Democrats lost the use of their property by refusing to rent to such people they should be reimbursed for their losses, was not that understood?—A. Yes, sir; but there was no subscription taken for that.

Q. No; it did not go to that extent perhaps of having an actual subscription. How many members do you know of who concurred in that

project; was it not generally the case in your club?—A. No, sir; it was not general.

Q. Which was first, the proposition to withdraw patronage from them or the proposition to refuse to rent to them?—A. The proposition to withdraw patronage from those obnoxious negroes on the market there was first.

Q. Can you give the names of those who it included?—A. No; not of the whole.

Q. Well, it included a large portion of those who occupied the market?—A. Yes, sir; those obnoxious negroes on the market.

Q. Well, they were all obnoxious, were they not?—A. No; not all of them.

Q. Who was there in the market who was not obnoxious?—A. Well, about the market I do not know, because that was a very hard crowd.

Q. You cannot discriminate at this time?—A. No, sir.

Q. Do you know Daniel Dugger?—A. I do.

Q. Did you have any trouble with him about politics?—A. None at all. Never said a word to him about politics in my life.

Q. Did you not say to him that a man could not be a white man in the South unless he was a Democrat?—A. I never did.

Q. You did not say that to Dugger?—A. No, sir.

Q. Do you know Mr. W. J. Merritt?—A. Yes, sir.

Q. Do you remember anything being said in regard to him, any resolution or action in regard to him in your club?—A. I do not; only that I think he was admitted into our club; I am not positive.

Q. You know Mr. J. E. Schoolfield?—A. Yes, sir.

Q. He was a member of your club?—A. Yes, sir.

Q. Did not you hear him state to the club that he had interviewed Merritt, and that Merritt would not declare his politics?—A. Not as I remember, I did not.

Q. Don't you remember a resolution in regard to Merritt that your club passed.—A. I do not.

Q. Nor any action in respect to it?—A. I do not.

Q. What was Merritt's business?—A. He is a butcher and green grocer.

Q. Was he included in the resolution withdrawing patronage from a portion of the people there?—A. I think not; I am confident not.

Q. How long have you been engaged in politics?—A. I have never been actively engaged in it.

Q. I did not use the word "actively." How long have you taken part I mean?—A. Since I was twenty-one I have voted the Democratic ticket.

Q. Well, you were a member of that club, a member of the executive committee; had you been in prior years?—A. I had not; I have been a member of the Democratic clubs though.

Q. Had you ever known the color line to be drawn as it was in this last canvass?—A. No, sir; there was never as much done heretofore toward drawing the color line by the leaders of the Republican or Re-adjuster party.

Q. Well, you had better answer my question. You will have an opportunity to make any explanation. The color line was a great deal more distinctly and actively drawn than you had ever known it before, was it not?—A. It undoubtedly was.

Q. Were you among those who went up last summer to capture those two colored men who were charged with murder?—A. What do you mean, during the riot?

Q. No; the Shepherd murder, I mean.—A. I did not go up to capture them. No, sir; I went to protect them with the "Grays."

Q. Your object in going there was to prevent their being injured then?—A. Yes, sir.

Q. How many went?—A. I suppose there were about thirty of our company who went.

Q. Did you stop the train?—A. You misunderstand me; I am a member of the "Danville Grays," and the "Danville Grays" protected them.

Q. I ask you whether you stopped the train?—A. I did not, sir.

Q. Well, did your party stop the train on the railroad?—A. My party? No, sir; they did not stop the train.

Q. I think you said you knew Mr. Merritt?—A. Yes, sir; I said so.

Q. Do you remember who offered these resolutions withdrawing patronage?—A. I do not know.

Q. Were they passed unanimously?—A. I could not say.

Q. Do you remember any opposition to them?—A. I do not remember. It has been so long ago I remember very little of it.

Q. Why it was only last October?—A. Well, it might have been only then, and I might not remember it.

Q. Now, do not the colored people usually quit work at 12 o'clock Saturday?—A. They do not. My hands all work until 6.

Q. Do they, generally, in the factories there?—A. They stop at 4 o'clock, generally, in the factories.

Q. You are more exacting than the factories generally then?—A. No, sir; the factories and builders are different.

Q. When do you pay off your men?—A. I pay them off by the day, they pay off by the hundred pounds.

Q. When did you pay off your men that Saturday?—A. That Saturday, I did not pay them off at all Saturday.

Q. Did not pay any man that Saturday?—A. No, sir.

Q. Those that worked until 12 o'clock, didn't you pay those?—A. No, sir; I did not pay any of them.

Q. Well, you had a little feeling about it then, had you not?—A. How do you mean?

Q. About their not working?—A. I do not know exactly what you mean—in what sense you mean it, that I had some feeling about their not working.

Q. Was it agreeable to you that they should not work or did you dislike it?—A. I disliked their not working, of course. It stopped my work.

Q. You were displeased at it, were you not?—A. Undoubtedly I was.

Q. Did you express your displeasure to them?—A. I did not.

By Mr. VANCE:

Q. You say that resolution that has been spoken of was directed toward the colored people in the market?—A. Yes, sir.

Q. Were any of the white leaders of the Coalition party included in it?—A. I think not. I do not remember definitely, but I know there were some negroes on the market there who were very obnoxious, and of course we were doing ourselves injustice to support them, and they were working directly against us.

Q. You do not think it extended any further than that?—A. No, sir; I do not. In fact, I know it did not.

Q. Did you hear anything about that alarm that was given Sunday evening about dark?—A. Yes, sir.

Q. What was the extent of the rumor?—A. Well, it was generally believed that that the negroes were forming, also out about Jackson's Branch, and out in Caswell County, North Carolina, about 5 miles from Danville, in bodies—in companies.

Q. Did it create much alarm in town?—A. Very much.

Q. Created a good deal?—A. Yes, sir.

Q. At what time was it found out that it was a false rumor?—A. It was not definitely known, it was contradicted from time to time, and then a new rumor would come in, and it was kept up all that evening, and all that night, and a portion of the next day.

Q. Was anybody sent out to ascertain whether there was any forming at Jackson's Branch?—A. The pickets were out all over town.

Q. All over town?—A. Yes, sir.

By Mr. LAPHAM:

Q. You have not stated where you were on the day of this riot.—A. I was all over town. Do you mean at the time the riot first commenced? my business calls me all through the city.

Q. At the time of the shooting, I mean?—A. I was in the opera house at the time of the first row. I was on the street when the shooting commenced though.

Q. Were you armed?—A. I was.

Q. Were the people at the opera house generally armed?—A. I did not know about whether they were armed in the opera house or not.

Q. Did not you know that many of them were armed?—A. I did not and I could not swear that any of them were armed in the opera house.

Q. What arms did you have?—A. A Smith & Wesson revolver.

Q. Where did you get it?—A. I bought it.

Q. When?—A. About four years previous.

Q. Where did you take it from when you went to the opera house?—A. I took it from my home.

Q. Was it loaded; did you fire it?—A. I did not.

By Mr. VANCE:

Q. You did not fire at all?—A. No, sir.

JAMES I. PRITCHETT sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Danville.

Q. What is your business?—A. Merchant.

Q. Where is your place of business?—A. Main street, about two squares below the scene of the riot.

Q. What is the name of your firm?—A. James I. Pritchett & Co.

Q. Where were you at the time of the riot?—A. At the beginning of the riot?

Q. Yes.—A. When I returned from dinner I was in my office, which was in the rear of the store, and was at the time writing letters. A young man came back and told me Noel and a negro were in a fight up the street. I turned around and asked him if it was merely a fight between Noel and a negro. And he says, "I so understood it." And I continued to write, and when I had finished I went to my front door and heard a gentleman say as he passed by that there was two or three hundred negroes gathered together up in front of Blair & Woolfolk's office and very few white men; and believing from the high state of ex-

citement that if that number of negroes had got together there would be a serious accident, I started up there and on my way I noticed the negroes in the street were drifting in that direction, whether from curiosity or anything of that kind I cannot say, but I heard one negro remark that this would be a bad evening for the white folks. I had gotten just directly to a point between H. L. Vass's store and Ruffin, Woolfolk & Blair's office, and could see a very angry crowd of negroes and very few white men, and both parties gesticulating wildly, but I could not understand what was said. In a very few moments the firing commenced.

Q. You were very near the scene?—A. I was right on the scene.

Q. Very near the group of white men?—A. Yes, sir; I was within a few feet of the group of white men.

Q. Could you understand what either party said?—A. I could only understand—I heard—I think it was the negroes who said it, "Damn it, let's have it out right here." Now, I understood that remark, and I think it was from the side of the negroes, the crowd of negroes. I was on the lower edge of the white people and the crowd of negroes scattered up in front of me and the white people, and the negroes who were talking loudly, were up above me in front of the white people—the upper edge of the white people.

Q. Now, you could tell the difference, I suppose, between a curious crowd and an angry crowd, could you not?—A. I could.

Q. Was this crowd merely curious or angry?—A. That was undoubtedly not a curious crowd, but angry. I do not say there was no one there through curiosity, but undoubtedly the front of those negroes were not there through curiosity, that was evident.

Q. From their action, voices, gesticulation, and so on?—A. Yes; besides, they were displaying pistols.

Q. Did you see any colored people display pistols?—A. Yes, sir.

Q. Can you tell how many?—A. I would not like to swear how many. I would be willing to swear I saw four or five pistols displayed by negroes. I think I saw nearly as many pistols displayed by negroes as white people.

Q. Can you give the names of colored men with pistols?—A. No, sir; if I knew them, I do not think I could be able to recognize them under the circumstances; do not know that I would take pains to look at a face long enough to recognize it.

Q. When the firing began now, state whether it was on one side or both sides?—A. It was on both sides.

Q. Did you see any colored man fire a pistol?—A. I did.

Q. More than one?—A. More than one fired. My attention was particularly drawn to one fired, because I looked right in the mouth of his pistol when he fired.

Q. You were looking in the muzzle of it?—A. Yes, sir. He was about as far from me as the second door there. He could not have been shooting at me, because he had no time to take any aim; he was retreating and fired.

Q. How long did they stand when the firing began?—A. Well, on the first volley fired the negroes commenced to retreat. I heard one negro holler, "Oh, what are you running for?" but he was not able to rally the crowd, and they all ran. They ran with some hesitation at first.

Q. You heard one exclaim, "What are you all running for?"—A. Yes, sir; I heard that remark from a negro.

Q. You were within a few feet of the group of white men before the firing began, were you?—A. Yes, sir.

Q. Now, as it looked to you, did there seem to be any necessity on the part of these white men to fire?—A. I most undoubtedly considered it very important. I looked at it that way.

Q. You considered that they were in danger?—A. I did, indeed.

Q. They were outnumbered?—A. Yes, sir; very largely indeed.

Q. Apparently, now, how many colored and how many white people were there?—A. It would be impossible to give a correct idea of how many negroes were there. The street was full of them. How many were there for the purpose of fighting I cannot say. There were certainly not over fifteen white men present. That I discovered after it was over.

Q. How many colored people do you judge now; of course you cannot tell exactly?—A. I should judge at least two hundred.

Q. Now, what part of that two hundred were women and children, if any?—A. I saw no women. I saw some boys, and pushed one boy in Vass's store to keep him from getting hurt.

Q. Were there any boys in the front of the crowd, immediately fronting the white people?—A. No, sir.

Q. Now you say that, according to all appearances, in your opinion there was a necessity for the white men there to fire?—A. I did indeed think so.

Q. Did you observe any firing after the necessity had passed?—A. I did not.

Q. Taking it for granted that these men had to fire to defend themselves, you think they did not continue firing longer than necessary?—A. No, sir; I do not. I did not see any.

Q. Saturday is the day that most colored people are on the streets, is it not?—A. Saturday afternoon late.

Q. Now, what time in the day, Saturday, is there usually a crowd of colored people doing their marketing, and so on?—A. There was only one class of colored people that get out early Saturday afternoon, and those are tobacco factory hands; they are paid off, I suppose, at 4 o'clock; I think it is at 4 o'clock; and from half past 4 until I go home at night the negroes are on the street.

Q. Was this crowd on the street that day earlier than common?—A. Much; yes, sir. When I came from my dinner, which was not over quarter past 2, there were large crowds of negroes on the street. In fact for the last few days before that there was a great many negroes on the street—on the corner. It was not an unusual sight.

Q. This crowd, then, was earlier on the street than usual?—A. Yes, sir.

Q. By some two hours?—A. At least an hour and a half.

Q. Did you arm yourself when you went up the street?—A. I was armed; yes, sir.

Q. Were you a member of any political organization there?—A. I was a member of the Third Ward Democratic Club.

Q. Will you say if anything came to your knowledge looking toward getting up this riot—provoking violence on the part of the whites?—A. Nothing came to my knowledge; but, on the other hand, everybody that I have conversed with or heard talk about it, advised their friends to do all in their power to prevent such things; that they believed it might be brought about for political effect to throw out the vote of the county.

Q. To throw out the vote of the county?—A. Yes, sir.

Q. That was what you had to guard against?—A. Yes, sir.

By Mr. LAPHAM:

Q. You think the colored people in the front were not there from curiosity?—A. No, sir; I did not think it. They were not there through curiosity.

Q. Did you go there from curiosity?—A. No, sir.

Q. What did you go for?—A. I heard——

Q. What did you go for?

Mr. VANCE. I think he has a right to answer that question in his own way.

Mr. LAPHAM. I insist he has not.

Mr. VANCE. I think he has. You asked him what he went there for, and he began to tell you, and you choked him off.

Mr. LAPHAM. He began to tell——

The WITNESS. I began to state why I went there.

The CHAIRMAN. That is the question put to you.

By Mr. LAPHAM:

Q. Again I put it. For what purpose did you go there; you said you did not go from curiosity; now, for what purpose did you go there?—A. I went there to help protect a few white men from being hurt by those negroes.

Q. What arm did you have?—A. A pistol.

Q. What kind of a pistol?—A. Smith and Wesson—38 caliber.

Q. Was it loaded?—A. Yes, sir.

Q. Where did you get it?—A. Bought it from J. E. Schoolfield & Co.

Q. When?—A. About two months before this.

Q. What quantity of such arms did they have at the time you made the purchase?—A. I cannot answer that question.

Q. Well, you know they had some, don't you?—A. I suppose they had; I would not like to swear as to the quantity they had.

Q. Did not you see them?—A. Oh, yes; I saw more arms.

Q. Where did you get your ammunition?—A. I got a box of cartridges with the pistol.

Q. At the time you bought the pistol?—A. Yes, sir.

Q. Did you shoot?—A. Yes, sir.

Q. How many times?—A. Three times.

Q. What direction?—A. I shot in a direction down the street from where I was standing.

Q. Into the crowd of colored people?—A. Yes, sir.

Q. When they were fleeing?—A. No, sir.

Q. You shot directly at them, did you not?—A. Yes, sir.

Q. You meant to hit, did you?—A. I meant to protect myself.

Q. That don't answer my question. You meant to hit them, did you not?—A. I saw cause for that shooting.

Q. Did not you mean to hit, if you could? Now, answer that question.—A. Well, I did not have any desire, sir, to kill any particular person.

Q. I did not ask that.—A. I did not shoot with intent to murder anybody.

Q. No, I did not ask that. When you fired did you not mean to hit, if you could?—A. Yes, sir; I fired right into the crowd.

Q. Well, did not you mean to hit, if you could?—A. Yes, sir.

Q. And you shot three times in that manner?—A. Yes, sir; three times in succession.

Q. Within what time?—A. As quick as I could. It was a double-action pistol.

Q. Yes, as quick as you could pull the trigger?—A. Yes, sir. I did

not look to kill any negroes, because there was one looking right at me——

Q. Oh, I did not ask that thing.

Mr. VANCE. Witness, you must not say anything that will displease Senator Lapham.

Mr. LAPHAM. I have a right to put questions in a categorical manner and the witness must answer.

The CHAIRMAN. The witness ought to answer the question and then he ought to have time enough to state any qualification.

Mr. VANCE. Yes; but you chop him right off.

The CHAIRMAN. You ought to answer the question and then you can explain.

The WITNESS. I have the privilege of adding?

The CHAIRMAN. Yes; no doubt about that.

By Mr. LAPHAM:

Q. Where were you standing when you shot?—A. I was standing at a point right between Ruffin, Woolfolk & Blair's office and H. L. Vass's hardware store.

Q. Did you see any other persons shoot?—A. Yes, sir; I saw C. H. Merritt shoot; a man by the name of Reagan—I do not know his initials—and I saw T. J. Lee shoot.

Q. How many times did they shoot?—A. I cannot answer that question; I do not know.

Q. Do you know who shot first?—A. I do not know; but I do know that the firing was simultaneous——

Q. No, you have answered my question now. Now, do you say you do not know who shot first?—A. I do.

Q. I think you say you cannot give the names of any colored persons who shot?—A. No, sir; I cannot give the name, but my attention was particularly drawn to one, and I can describe him.

Q. Well, when I ask you to you may.—A. Yes, sir.

Q. Do you know Mr. Hatcher?—A. Yes, sir.

Q. Did you see him there?—A. Yes, sir.

Q. Did not you see him shoot?—A. I did not.

Q. Were you examined before the committee of forty?—A. I was not.

Q. Did you see Captain Graves there?—A. No, sir; I did not see him.

Q. What was your business at that time?—A. Merchant.

Q. What kind of merchant?—A. I deal in hay, grain, and lime.

Q. Produce merchant?—A. Yes, sir.

Q. Where was your store with reference to the scene of this riot?—A. It was about two squares below the scene.

Q. Towards the opera house?—A. Below the opera house; yes, sir.

Q. You were below the opera house?—A. Yes, sir; on the opposite side of the street.

Q. Were you at the meeting in the opera house?—A. No, sir.

Q. Now, you were a member of the Democratic club, you say?—A. The third ward club; yes, sir.

Q. Do you know of a resolution withdrawing patronage from colored people and Readjusters?—A. Do you want me to say what I know of it?

Q. No; I want you to answer yes or no, whether you know of it.—A. I have only heard of it. I know nothing of it.

Q. You were not present at the meeting?—A. No, sir.

Q. Do you know of any proposition to refuse to rent to that class of people?—A. No, sir.

Q. You did not know of that?—A. No, sir.

Y. V. O. Y. V. O.

Y. V. O. Y. V. O.

Y. V. O. Y. V. O.

Y. V. O. Y. V. O.

Y. V. O. Y. V. O.

Y. V. O. Y. V. O.

By Mr. VANCE:

Q. You were asked if you could name any colored men that shot; you said you could not, and then you started to say something else.—

A. I said I could describe one that shot, because he shot in my direction.

Q. Describe him.—A. He was a tall mulatto, with little side whiskers; I did not know the negro at all; if I had ever known him I could have told his name.

Q. Did you find out afterwards who he was?—A. No, sir.

Q. Don't know yet?—A. No, sir.

Q. He was the one to whom your attention was particularly attracted?—A. Particularly attracted me; yes, sir.

Q. You started to say you knew that they were firing when you were asked who fired first.—A. I said I considered it a simultaneous firing on both sides. That is what I started to say.

Q. Simultaneous firing from doth sides?—A. Yes, sir.

Q. Did you hear any bullets?—A. No, sir; I did not.

Q. Did you see any indentations upon the walls of the building, or anything, after the firing was over?—A. Well, I noticed several on the walls around there, but did not notice them particularly; not enough to describe them.

Q. Do you know anything of the habit of the colored men carrying arms in that city?—A. I cannot say that I do.

Q. You do not keep arms for sale?—A. No, sir.

GEORGE W. SWAYNE sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville, Va.

Q. How long have you lived there?—A. I was born and raised there.

Q. Spent your life there?—A. Yes, sir.

Q. What business do you follow?—A. I am a manufacturer of tobacco.

Q. Did you see anything of this riot?—A. Yes, sir, I saw some of it.

Q. Before going to that I will ask you if you were present when Mr. Sims spoke on the night before?—A. I started round there to the court-house where he was to speak, and when near there I came in contact with Mr. E. W. Barksdale.

Q. What took place?—A. A large crowd that was assembled in front of the court-house was at that time being addressed by a colored speaker. They were waiting for Mr. Sims; they were cheering pretty wildly. Some comment was made either by him or myself, and he keeping up the conversation, remarked, "Yes, I'll be damned if we haven't got you. We have the white men of the Southwest with us, and we have the negroes right against you, and I'll be damned if we can't turn them loose on you in five seconds." At that time we were in sight of the crowd; the street separated us from the large crowd; the crowd was composed chiefly of negroes. They seemed to be very boisterous, and I had intended going up in the crowd, but I was a little apprehensive after he expressed himself in that manner, and then, seeing that he went up into the midst of the crowd on the stand, I turned and went back.

Q. What are Mr. Barksdale's politics?—A. He is a prominent Readjuster or Republican.

Q. Coalition?—A. Yes, sir.

Q. What did you see of the fight?—A. I cannot say that I saw—I was on the lower end of the street Saturday afternoon in Mr. Bryden's

drug store in the lower end of the street, and some one run in and said they were fighting up town, and I came out, and as soon as I came out I looked right up the street. I saw a large crowd about opposite B. W. Graves's grocery store, I thought, and Ruffin's office, both on the opposite side of the street, and I came on up the street. The crowd seemed to be pressing in from the center, as I supposed. I came up within, I reckon, 50 yards of the crowd. I could not recognize any one except it just seemed to be colored men on the outside of the crowd, and I met a colored man running down, and inquired what it was, and he said there were a few white men inside the crowd, and they were crowding in on them and fighting. I was not armed, and I was trying to debate in my own mind whether to go in the crowd, not being armed, to the rescue of these white men that this man that was running from the fight told me about, or whether to stay away, and just at that time the crowd opened and I heard the shooting and ran into a store. The proprietor of the store locked the front door, and I was in there then until everything was quiet.

Q. How did matters appear to you when you got up there; did the crowd seem to be excited and angry or otherwise?—A. I thought it was a very serious-looking mob, and I tried to get the complexion of the crowd, but I could not recognize any faces, but it seemed to be all black men on the outside.

Q. Could not see a white man?—A. I could not see a white man at all.

Q. Judging from appearances, did you regard the white men in any danger?

Mr. LAPHAM. Why, he was 9 rods away.

The WITNESS. No, sir; I was within 50 yards at least.

Mr. LAPHAM. Well, that is 9 rods.

The WITNESS. One hundred or 150 feet.

Mr. LAPHAM. That is 9 rods.

Mr. VANCE. Well, we will not get into any mathematical dispute.

The WITNESS. I was in Mr. McIntyre's store; that is where I went in, that is 100 or 150 feet.

By Mr. VANCE:

Q. From the way it appeared to you did you regard the white men there as in any danger?—A. I stopped to ascertain whether it was my duty to go in, as the crowd seemed to be largely composed of black men, and seemed to be pressing in the center; I did not know who was in the center, but this man told me they were white men in there; and I was trying to decide whether I ought to go, and especially as I was unarmed; whether it was right to go. I just see arms up this way [indicating] and pressing in; and sticks; saw them pressing in that way with sticks, and then when I heard the shots I just stepped right in the store, and the proprietor locked the door immediately.

By Mr. LAPHAM:

Q. You testified before the committee of forty?—A. Yes, sir.

Q. Did you state anything of this there?—A. No, sir; I was not asked.

Q. Now, Barksdale is a jocular fellow, is he not—has a habit of using jocular expressions?—A. Well, Mr. Barksdale said he did not know me, and I confess I never was thrown with him, and had no familiar acquaintance with him.

Q. Was he laughing when he was saying this to you?—A. No, sir;

he did not make that impression upon my mind. I think I would probably have heard some of Sims's speech if he had conveyed the impression to my mind that he was joking.

Q. No, I am speaking of your talk with Barksdale?—A. Yes, I am speaking of the impression I received from his remark.

Q. You do not know whether he is a person who is in the habit of using jocular expressions?—A. As I say, I am living there all the time, I am in and out there; I have seen him on the street; I knew he was a man that used profane language.

Q. Well, he uses extravagant expressions, does he not?—A. Well, I suppose he might.

Q. Do not you know that that is his habit?—A. Well, I say I have never been thrown much with him; I knew the position he held; I knew he was a man in politics.

Q. Were you a member of the Democratic club?—A. I was not.

Q. You are a member of the Democratic party?—A. I always vote that ticket.

Q. Do you know of any arrangement or understanding that the Readjusters and colored people should not be patronized?—A. Not of my own knowledge.

Q. Did not you learn of it?—A. My attention was called to it from Mr. Merritt's card in the paper.

Q. You saw such a statement published in the paper, then?—A. Yes, sir; that is the only recollection I have of the statement.

Q. Did not you also know it was talked that the owners of property should not rent to such persons?—A. I heard that on the street that it would be a good—I heard it in this connection——

Q. It would be a good plan to adopt?—A. No, sir; I heard it in this connection. There was only one ward in the town that had a white majority, and it was understood that the colored people were being transferred to citizenship in that Third ward, in order to have the control of it, and I heard numbers living in that ward—and I live in it myself—say that we wanted protection against them, and the way would be to rent our houses to white men in the ward in preference.

Q. Was not there also an arrangement if owners lost rent by that they should be reimbursed?—A. If so, I do not know anything about it.

By Mr. VANCE:

Q. You say that the arrangement arose from the fact that they were colonizing votes from there?—A. Yes, sir; there was only one ward that the whites had a majority, and it was understood that they were colonizing from the first ward, where they had a heavy colored majority, into the third ward, and this was a protection against it.

Q. Did you hear anything in the nature of premeditation about this riot?—A. I heard to the contrary, exactly. It was this, that the election machinery and the State officials were Readjuster, but that we were confident of gaining a victory, and that if we were not very conservative and very cautious they would seek on the least pretense to cheat us out of the fruits of the victory. I heard the leaders advise and caution Democrats to be very peaceful and very quiet, not even to resent any personal difficulties that might be construed as having any bearing upon politics at all. Mr. Schoolfield, one of the prominent men there, in fact advised me that way. That was the sentiment among all the leaders, that we could win fairly, and that we did not wish to be cheated out of the fruits of the election, especially as the returning board, &c., were members of the opposite party.

Q. And it was the obvious policy of the Democratic party to have no violence?—A. Yes, sir, it was, so far as I heard on the street.

By Mr. LAPHAM:

Q. I understood you to say that you did not arm yourself that day.—A. No, sir; I did not arm myself until after. I had no arms.

Q. You did not arm yourself until after; you had no arms?—A. I stated I was not armed when I came up the street and saw this difficulty.

Q. I understood you to say you were not armed that day.—A. No, sir; I did not say that.

Q. You did arm yourself?—A. After the riot, I did.

Q. What with?—A. I went down to Mr. Valentine's store and bought an \$11 pistol.

Q. What kind of a pistol?—A. I think that is the finest; probably, Colt's.

Q. Five or six shooter?—A. Five-shooter.

Q. Loaded?—A. I did load it; yes. I would like to state why I did.

Q. Oh, that is obvious enough.—A. No, sir; it might not be. I am a manufacturer of tobacco, and I was told that our insurance ceased whenever the town was in the hands of a mob, and I got my pistol and got a pistol for my manager; we went to my factory, just about 100 yards from this place, and we proposed to protect our property in case the riot should develop into anything like house burning.

By Mr. VANCE:

Q. You did not arm yourself with any intention of committing violence upon anybody?—A. No, sir.

Q. Just for the protection of your property?—A. Yes, sir; I do not carry arms.

Q. You did not carry arms habitually?—A. No, sir.

WASHINGTON, D. C., *March 31, 1884.*

J. P. ENRIGHT sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville, Va.

Q. How long have you lived there?—A. Since 1868.

Q. That would be about 16 years.—A. Yes, sir.

Q. What is your business there?—A. I am cutter in a merchant tailoring establishment.

Q. What tailoring shop?—A. T. L. Gibson & Co.; it was at the time of the riot Gibson & Randall.

Q. Did you know a fellow-employé there by the name of Johnson?—A. Yes, sir.

Q. What was his given name?—A. James L. Johnson.

Q. Will you describe anything that you saw about the riot on the 3d of November?—A. I did not see anything of the riot, sir; I was in the opera house at the time. Mr. Johnson and I were together. I didn't leave the Opera House until after the firing. There was a very large crowd in there, probably some five or six hundred, and we got out as soon as we could; and when we got out the firing was all over. I don't think there was but one shot fired after I got out, and that was in the market square. I think that shot was fired accidentally.

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Q. Did Mr. Johnson shoot, or take any part in the riot all?—A. He was with me.

Q. He was with you in the opera house?—A. Yes, sir.

Q. Did he come out with you?—A. Yes, sir.

Q. And you and he were together on the street?—A. Yes, sir.

Q. Until after the firing was all over?—A. Until after the firing was all over.

Q. And he did not shoot at any one?—A. No, sir; there was but one shot fired after we got out of the opera house, and that was in the market square. Furthermore, Johnson was not armed until after we went back to the store. When we went back to the store then he armed himself. He didn't have a pistol down there with me at all.

Q. A witness by the name of Addison Coles testified that he saw a man who was a tailor and worked in the shop of Gibson & Co., and whose name he afterwards learned was Johnson, come out to the corner of Main and Union streets and shoot two colored men, whose bodies were afterwards found lying there near the corner of Main and Union streets.—A. That is not so, sir.

Q. You say that is positively untrue?—A. That is positively untrue; yes, sir.

Q. Were you with Johnson all the time?—A. Yes, sir.

Q. What other tailoring establishments are there in Danville?—A. There is one more.

Q. Who is that?—A. Mr. David Jones.

Q. Do you know the employes in that shop?—A. Yes, sir.

Q. Was there any one there by the name of Johnson?—A. No, sir.

Q. Where is this shop of Gibson & Co. located?—A. On Main street.

Q. How far from the scene of where these two men's bodies were found?

—A. Do you mean from the corner of Main and Union streets.

Q. Yes.—A. I suppose it is about, probably, 25 yards.

Q. That witness testified—

I saw a man come right up Union street, on the corner of Main street, right by a little apple market that stays right there on the corner by the old post-office. I was still standing there. I was standing sort of in the middle of the street then, because that horse had run up there. I still stood there in the middle of the street. This time I saw two men on the other side of the street coming running up Main street. A good many people were running up street, and the time these people were running up the street this man who came up Union street went up Main street. He went right to the corner, at this little apple market I was telling you about, and when he ran up to the corner there he drew his pistol from behind, and he remarked to the people running up street, "Look out! look out!" and he fired just as that man turned the corner of Mr. Wiseman's drug-store; and he shot three times, and I saw two men fall; and I never saw anybody else shoot but that man.

Q. Who was that?—A. I didn't really know the man.

Q. Was he a white man?—A. He was a white man, and I will tell you what I understood his name was. I didn't know who it was myself.

Then he goes on to say that he asked a man named Motley, standing by him:

A man was standing by me of the name of A. M. Motley. Says I, "Motley, look at that man shooting both of them men down." Mr. Motley said to me, "That's Johnson; I know him well." And that time the fire-bell commenced to ring.

Now, how far was your business place, tailoring establishment, from that corner as described?—A. About 25 yards. I suppose, probably, about 25 or 30 yards.

Q. And you say that this man Johnson was with you in the opera house, and was with you on the street?—A. Yes, sir; we came up the street together.

Q. And had no arms, and took no part whatsoever in the affray, and shot nobody?—A. No sir; he did not shoot anybody, and had no pistol with him at that time; neither he nor myself were armed at that time.

Q. Did you see any evidence of unusual excitement among the colored people that day, before the riot?—A. Yes, sir.

Q. State what it was.—A. They would meet around in groups together, and they were very insolent—not only insolent, but insulting.

Q. Where did you see any of that?—A. On that morning there was, I think, about four, or probably six young colored men standing in front of the store door; the door was closed, and they were obstructing the passage of customers in entering and retiring from the store; I opened the door, and asked them to leave; that they were obstructing the passage-way there in the door; they all left except one, and I saw that he did not intend to leave, and I was making towards him, making an effort to push him from the door; he saw me making towards him, and he left and went out toward the curbstone, and he turned round and said, "What are you fixing to do?" I told him I was fixing to push him from the door. He remarked—he either said, "I will be damned if pushing days are not over," or, "God damn it, pushing days are over," one or the other.

Q. Pushing days are over?—A. Yes, sir.

Q. You only wanted him to leave so the passage of customers in and out would not be obstructed?—A. So the customers could get in and out; yes, sir.

Q. And he made that answer to you?—A. He made that answer; yes, sir; if I had struck him at that time, probably the riot—

The CHAIRMAN. You need not say what would have been if so and so; that is going too far.

By Mr. VANCE:

Q. Were the others standing near?—A. Yes, sir.

Q. Is that all you know about the matters and concerning the riot?—A. Yes, sir; that is all I know.

Q. Were you a member of any political organization there?—A. I was, sir.

Q. What one?—A. The Third ward Democratic club.

Q. Will you please state what your counsels and advices were about avoiding violence, if any?—A. I did not attend any of the meetings of the club, except one, and then only about ten minutes. The general advice, though, to the citizens there was to keep quiet and not be the means of causing any collision between the whites and blacks.

Q. Was there any preparation or premeditation, so far as you know, to bring about this riot?—A. Nothing, sir, so far as I know.

Q. You never heard any from any of your political associates?—A. No, sir.

Q. Anything of that kind?—A. I never did.

Q. Did you see any preparation for it?—A. No, sir.

Q. I suppose there was a considerable state of political excitement there?—A. There was, sir.

By the CHAIRMAN:

Q. You did not take an active part then in politics?—A. No, sir.

Q. You attended the meeting of the club but once, you say. Were you present at the time the resolutions were adopted not to trade or to deal with Readjusters?—A. No, sir; I was not.

Q. I suppose there is more than one Mr. Johnson in Danville, is there not?—A. There is only one Mr. Johnson, a tailor, there.

J. E. PERKINSON, sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you been there?—A. I have been there over three years; between three and four years.

Q. What is your business there?—A. I am clerk in a book-store.

Q. What book-store?—A. E. R. Waddell & Brothers.

Q. Where were you on the day of the riot?—A. I was in my store at my place of business.

Q. Where is it located with reference to where this riot occurred?—A. It is about 75, or perhaps a few more, yards from the scene of the riot.

Q. Is it on Main street?—A. Yes, sir; on Main street.

Q. Up towards the Arlington, or down towards the opera house?—A. It is up towards the Arlington; second store from the corner.

Q. About 75 yards, you think?—A. Yes, sir; not less than that.

Q. Just describe in your own way what you saw and heard of the riot.—A. I saw part of the fight between Noel and the negro from the store door. I heard the row and went to the door and saw the fight on across the street, the fisticuff, and stood there a while and saw a pistol go off; I then got my hat and started across the street, and when I got there the fight had been stopped.

Q. It had been stopped?—A. The fisticuff had been stopped, and I walked up to Noel (he was a personal friend of mine), and asked him if he was hurt. He told me he was not hurt except his hand was bruised. He showed me his hands and I saw they were bloody and thought he had been cut; then, I think, I suggested he had better go across the street, and perhaps some one else did, and wash his hands, because there was a great deal of excitement, people walking up and seeing him in that condition and he might be assaulted by some of the negroes, and he started on across the street, started over toward the store, and I started after him thinking perhaps he might be attacked by some of the negroes, and did not get more than half way across the street and I came back to just above the crowd of white men and crowd of negroes, I had just got there when this negro, Hense Lawson, came up where I was and another negro walked up to him and says, "What is the matter?" He says, "I have had a fight with a white man. I ain't afraid of anything, but I am satisfied." He stood there quietly.

Q. He said he was not afraid of anything, but was satisfied?—A. He was satisfied; and while standing there the firing commenced—firing on both sides. I turned instantly; I was unarmed, and started up the street for fear of being shot perhaps by white men, or by negroes. I saw the negroes shoot, and started into the second store about where I was originally standing, but did not get further than the door. As I turned I saw Walter Holland as he was picked up by two men on the street, and I turned and went down to their assistance. They took him up and carried him into Guerrent's Store; I followed on behind; of course I could not get hold to assist them. The other men had him; they laid him upon the counter; by that time the firing was all over; I did not observe the shooting any further after I saw Holland; I crossed the street and went on up, passed the two negroes on the corner—they were lying there—to report to the armory; Captain Oliver (I am a member of the Danville Greys) and myself went into the armory together; I says, "Captain, won't you call the men out; won't you have the signal?" He says, "Yes; you go over and ring the signal." I started out of the armory, but, I says, "I haven't a pistol, and the court-house is some

distance from here, and I am afraid the negroes have congregated over there." He says, "Take my pistol, and go over and ring the fire bell." I started out and met the deputy sergeant of the town, Wood (Captain Wood here), and asked him to go with me, and Captain Oliver told him to. We started over, and rung the fire bell; I afterwards came back and reported for duty, and was on duty from that time until Tuesday.

Q. I understand you that you started off to accompany Noel to wash his hands?—A. Yes, sir.

Q. Under the impression that there being so much excitement it would not be well for him to be seen bloody on the street?—A. Yes, sir.

Q. And before you got to the place where he was to wash his hands you turned back?—A. I turned back; the crowd dispersed, and I turned back.

Q. Then you returned to Lawson; saw Lawson, the man who had the fight?—A. I did not return to him. I crossed the street and was standing there, and as I turned accidentally I suppose he came up.

Q. And while talking to him, or soon after, the firing began, and you started back to the store; you had no weapon?—A. I did not talk with him at all. I heard him talking with another negro.

Q. You started back to the store, and before you got there——

A. No, sir; I paid no further attention to this. He may have moved off before the shooting commenced; this was scarcely a minute before the shooting; he may have been standing there, or may not. I stood there though after this; I did not cross but once.

Q. And the firing commenced then, and you having no weapon, as I understood you to say, did not go up into the crowd?—A. No, sir.

Q. And when you saw Mr. Walter Holland fall——

A. I didn't see him fall.

Q. You saw the men taking him up?—A. Yes, sir.

Q. But you came to help them carry him off somewhere to be treated?—A. Yes, sir.

Q. And before you got him disposed of the firing was over?—A. Yes, sir.

Q. Now, you saw the beginning of the firing, did you; were close by?—A. Yes, sir; I was not looking at the men as they drew their pistols; I saw pistols go off.

Q. I want to know if you saw firing from both sides?—A. I did.

Q. Can you name any colored man whom you saw fire?—A. I cannot, because in my business I come in contact with very few colored men, and furthermore I was very much excited. I cannot identify anybody; I could not have identified myself about that time.

Q. But you are confident there was firing from both sides?—A. Yes, sir.

Q. Do you know anything of the habit of the colored men carrying weapons in Danville?—A. There is a colored man that works in our place of business, as pressman, and he carries a pistol; he had one that day; admitted it. A young man in the store with me saw the pistol.

Q. Do you know of any others that carried pistols?—A. No, sir; neither white nor black.

Q. Did you see any one trying to get the crowd to disperse?—A. Yes, sir. When I got down there Captain Booth was asking the negroes to disperse; and Captain Oliver, Mr. Corbin, and perhaps some others, but these I remember distinctly. I heard one white man say, "If you negroes will disperse the white men will disperse." I saw the negro policeman trying to disperse the crowd.

Q. That was Withers?—A. Yes; and I saw a white man come out into the crowd and ask them to disperse.

Q. How many white men did there appear to be?—A. I suppose there were fifteen or twenty, sir.

Q. How many colored men did there appear to be?—A. Well, two hundred.

Q. What appeared to be the temper of the crowd?—A. Very much excited; both sides.

Q. Very much excited?—A. Yes, sir.

Q. Did you hear the colored men say anything in response to the exhortations of Messrs. Corbin and Booth and others to disperse?—A. No, sir; they seemed to pay no attention. They kept crowding up and closing up on the white men who were on the pavement.

Q. Did you hear any one demand to know who it was that shot?—A. Yes, sir. I heard a negro point Taylor out as the man, and Taylor was the only man that I saw expose a pistol before the firing. He pulled back his coat in that way [indicating] to show his pistol. There was some conversation—I could not hear it all—between him and the negro.

Q. How many colored people do you suppose there were there?—A. Two hundred, as I have understood, but that is merely a rough estimate. I could not count them.

Q. Of course it is an estimate in such a time as that. Did you notice any considerable number of them who were boys and women?—A. I did not notice any boys at all, and I am positive there were no women; there may have been some boys there.

Q. Saw no women at all, but there may have been some boys?—A. Yes, sir.

By the CHAIRMAN:

Q. Were you examined before the committee of forty?—A. Yes, sir.

Q. Your recollection of what occurred that day was fresher then than it is now, wasn't it?—A. I can't say that it was, sir; the lapse of time would of course make some little difference, though I have had it recalled frequently by talking of it, and reading testimony on the subject.

Q. How came you to be out on the street at the time of this riot?—A. I went out there because Mr. Noel was a friend of mine, and in a fisticuff with a negro, to his assistance.

Q. You did not see the beginning of the fight?—A. Not the fisticuff; no, sir; I was in my place of business when it commenced; I heard the fight and went out there.

Q. Mr. Noel was an acquaintance of yours, and you went out attracted by that fact?—A. Yes, sir.

Q. What do you mean by a fisticuff fight? Do you call it a fisticuff fight when one man armed, accompanied by two others armed, strikes a negro that is not armed and commences a fight?—A. I did not see anybody at all armed in that fisticuff.

Q. Did you not know the fact that Mr. Taylor was armed?—A. I knew it afterwards.

Q. Did not you know the fact that Mr. Noel himself was armed?—A. No, sir.

Q. Did not you know that Mr. Lee was armed?—A. No, sir.

Q. Didn't they have their pistols drawn?—A. I did not see them at all.

Q. Did not you see Mr. Lee and Mr. Taylor standing there with their pistols drawn near by?—A. Not from where I stood.

Q. You could not see that?—A. No, sir.

project; was it not generally the case in your club?—A. No, sir; it was not general.

Q. Which was first, the proposition to withdraw patronage from them or the proposition to refuse to rent to them?—A. The proposition to withdraw patronage from those obnoxious negroes on the market there was first.

Q. Can you give the names of those who it included?—A. No; not of the whole.

Q. Well, it included a large portion of those who occupied the market?—A. Yes, sir; those obnoxious negroes on the market.

Q. Well, they were all obnoxious, were they not?—A. No; not all of them.

Q. Who was there in the market who was not obnoxious?—A. Well, about the market I do not know, because that was a very hard crowd.

Q. You cannot discriminate at this time?—A. No, sir.

Q. Do you know Daniel Dugger?—A. I do.

Q. Did you have any trouble with him about politics?—A. None at all. Never said a word to him about politics in my life.

Q. Did you not say to him that a man could not be a white man in the South unless he was a Democrat?—A. I never did.

Q. You did not say that to Dugger?—A. No, sir.

Q. Do you know Mr. W. J. Merritt?—A. Yes, sir.

Q. Do you remember anything being said in regard to him, any resolution or action in regard to him in your club?—A. I do not; only that I think he was admitted into our club; I am not positive.

Q. You know Mr. J. E. Schoolfield?—A. Yes, sir.

Q. He was a member of your club?—A. Yes, sir.

Q. Did not you hear him state to the club that he had interviewed Merritt, and that Merritt would not declare his politics?—A. Not as I remember, I did not.

Q. Don't you remember a resolution in regard to Merritt that your club passed.—A. I do not.

Q. Nor any action in respect to it?—A. I do not.

Q. What was Merritt's business?—A. He is a butcher and green grocer.

Q. Was he included in the resolution withdrawing patronage from a portion of the people there?—A. I think not; I am confident not.

Q. How long have you been engaged in politics?—A. I have never been actively engaged in it.

Q. I did not use the word "actively." How long have you taken part I mean?—A. Since I was twenty-one I have voted the Democratic ticket.

Q. Well, you were a member of that club, a member of the executive committee; had you been in prior years?—A. I had not; I have been a member of the Democratic clubs though.

Q. Had you ever known the color line to be drawn as it was in this last canvass?—A. No, sir; there was never as much done heretofore toward drawing the color line by the leaders of the Republican or Re-adjuster party.

Q. Well, you had better answer my question. You will have an opportunity to make any explanation. The color line was a great deal more distinctly and actively drawn than you had ever known it before, was it not?—A. It undoubtedly was.

Q. Were you among those who went up last summer to capture those two colored men who were charged with murder?—A. What do you mean, during the riot?

Q. No; the Shepherd murder, I mean.—A. I did not go up to capture them. No, sir; I went to protect them with the "Grays."

Q. Your object in going there was to prevent their being injured then?—A. Yes, sir.

Q. How many went?—A. I suppose there were about thirty of our company who went.

Q. Did you stop the train?—A. You misunderstand me; I am a member of the "Danville Grays," and the "Danville Grays" protected them.

Q. I ask you whether you stopped the train?—A. I did not, sir.

Q. Well, did your party stop the train on the railroad?—A. My party? No, sir; they did not stop the train.

Q. I think you said you knew Mr. Merritt?—A. Yes, sir; I said so.

Q. Do you remember who offered these resolutions withdrawing patronage?—A. I do not know.

Q. Were they passed unanimously?—A. I could not say.

Q. Do you remember any opposition to them?—A. I do not remember. It has been so long ago I remember very little of it.

Q. Why it was only last October?—A. Well, it might have been only then, and I might not remember it.

Q. Now, do not the colored people usually quit work at 12 o'clock Saturday?—A. They do not. My hands all work until 6.

Q. Do they, generally, in the factories there?—A. They stop at 4 o'clock, generally, in the factories.

Q. You are more exacting than the factories generally then?—A. No, sir; the factories and builders are different.

Q. When do you pay off your men?—A. I pay them off by the day, they pay off by the hundred pounds.

Q. When did you pay off your men that Saturday?—A. That Saturday, I did not pay them off at all Saturday.

Q. Did not pay any man that Saturday?—A. No, sir.

Q. Those that worked until 12 o'clock, didn't you pay those?—A. No, sir; I did not pay any of them.

Q. Well, you had a little feeling about it then, had you not?—A. How do you mean?

Q. About their not working?—A. I do not know exactly what you mean—in what sense you mean it, that I had some feeling about their not working.

Q. Was it agreeable to you that they should not work or did you dislike it?—A. I disliked their not working, of course. It stopped my work.

Q. You were displeased at it, were you not?—A. Undoubtedly I was.

Q. Did you express your displeasure to them?—A. I did not.

By Mr. VANCE:

Q. You say that resolution that has been spoken of was directed toward the colored people in the market?—A. Yes, sir.

Q. Were any of the white leaders of the Coalition party included in it?—A. I think not. I do not remember definitely, but I know there were some negroes on the market there who were very obnoxious, and of course we were doing ourselves injustice to support them, and they were working directly against us.

Q. You do not think it extended any further than that?—A. No, sir; I do not. In fact, I know it did not.

Q. Did you hear anything about that alarm that was given Sunday evening about dark?—A. Yes, sir.

Q. What was the extent of the rumor?—A. Well, it was generally believed that that the negroes were forming, also out about Jackson's Branch, and out in Caswell County, North Carolina, about 5 miles from Danville, in bodies—in companies.

Q. Did it create much alarm in town?—A. Very much.

Q. Created a good deal?—A. Yes, sir.

Q. At what time was it found out that it was a false rumor?—A. It was not definitely known, it was contradicted from time to time, and then a new rumor would come in, and it was kept up all that evening, and all that night, and a portion of the next day.

Q. Was anybody sent out to ascertain whether there was any forming at Jackson's Branch?—A. The pickets were out all over town.

Q. All over town?—A. Yes, sir.

By Mr. LAPHAM :

Q. You have not stated where you were on the day of this riot.—A. I was all over town. Do you mean at the time the riot first commenced? my business calls me all through the city.

Q. At the time of the shooting, I mean?—A. I was in the opera house at the time of the first row. I was on the street when the shooting commenced though.

Q. Were you armed?—A. I was.

Q. Were the people at the opera house generally armed?—A. I did not know about whether they were armed in the opera house or not.

Q. Did not you know that many of them were armed?—A. I did not and I could not swear that any of them were armed in the opera house.

Q. What arms did you have?—A. A Smith & Wesson revolver.

Q. Where did you get it?—A. I bought it.

Q. When?—A. About four years previous.

Q. Where did you take it from when you went to the opera house?—A. I took it from my home.

Q. Was it loaded; did you fire it?—A. I did not.

By Mr. VANCE :

Q. You did not fire at all?—A. No, sir.

JAMES I. PRITCHETT sworn and examined.

By Mr. VANCE :

Question. Where do you reside?—Answer. Danville.

Q. What is your business?—A. Merchant.

Q. Where is your place of business?—A. Main street, about two squares below the scene of the riot.

Q. What is the name of your firm?—A. James I. Pritchett & Co.

Q. Where were you at the time of the riot?—A. At the beginning of the riot?

Q. Yes.—A. When I returned from dinner I was in my office, which was in the rear of the store, and was at the time writing letters. A young man came back and told me Noel and a negro were in a fight up the street. I turned around and asked him if it was merely a fight between Noel and a negro. And he says, "I so understood it." And I continued to write, and when I had finished I went to my front door and heard a gentleman say as he passed by that there was two or three hundred negroes gathered together up in front of Blair & Woolfolk's office and very few white men; and believing from the high state of ex-

citement that if that number of negroes had got together there would be a serious accident, I started up there and on my way I noticed the negroes in the street were drifting in that direction, whether from curiosity or anything of that kind I cannot say, but I heard one negro remark that this would be a bad evening for the white folks. I had gotten just directly to a point between H. L. Vass's store and Ruffin, Woolfolk & Blair's office, and could see a very angry crowd of negroes and very few white men, and both parties gesticulating wildly, but I could not understand what was said. In a very few moments the firing commenced.

Q. You were very near the scene?—A. I was right on the scene.

Q. Very near the group of white men?—A. Yes, sir; I was within a few feet of the group of white men.

Q. Could you understand what either party said?—A. I could only understand—I heard—I think it was the negroes who said it, "Damn it, let's have it out right here." Now, I understood that remark, and I think it was from the side of the negroes, the crowd of negroes. I was on the lower edge of the white people and the crowd of negroes scattered up in front of me and the white people, and the negroes who were talking loudly, were up above me in front of the white people—the upper edge of the white people.

Q. Now, you could tell the difference, I suppose, between a curious crowd and an angry crowd, could you not?—A. I could.

Q. Was this crowd merely curious or angry?—A. That was undoubtedly not a curious crowd, but angry. I do not say there was no one there through curiosity, but undoubtedly the front of those negroes were not there through curiosity, that was evident.

Q. From their action, voices, gesticulation, and so on?—A. Yes; besides, they were displaying pistols.

Q. Did you see any colored people display pistols?—A. Yes, sir.

Q. Can you tell how many?—A. I would not like to swear how many. I would be willing to swear I saw four or five pistols displayed by negroes. I think I saw nearly as many pistols displayed by negroes as white people.

Q. Can you give the names of colored men with pistols?—A. No, sir; if I knew them, I do not think I could be able to recognize them under the circumstances; do not know that I would take pains to look at a face long enough to recognize it.

Q. When the firing began now, state whether it was on one side or both sides?—A. It was on both sides.

Q. Did you see any colored man fire a pistol?—A. I did.

Q. More than one?—A. More than one fired. My attention was particularly drawn to one fired, because I looked right in the mouth of his pistol when he fired.

Q. You were looking in the muzzle of it?—A. Yes, sir. He was about as far from me as the second door there. He could not have been shooting at me, because he had no time to take any aim; he was retreating and fired.

Q. How long did they stand when the firing began?—A. Well, on the first volley fired the negroes commenced to retreat. I heard one negro holler, "Oh, what are you running for?" but he was not able to rally the crowd, and they all ran. They ran with some hesitation at first.

Q. You heard one exclaim, "What are you all running for?"—A. Yes, sir; I heard that remark from a negro.

Q. You were within a few feet of the group of white men before the firing began, were you?—A. Yes, sir.

Q. Now, as it looked to you, did there seem to be any necessity on the part of these white men to fire?—A. I most undoubtedly considered it very important. I looked at it that way.

Q. You considered that they were in danger?—A. I did, indeed.

Q. They were outnumbered?—A. Yes, sir; very largely indeed.

Q. Apparently, now, how many colored and how many white people were there?—A. It would be impossible to give a correct idea of how many negroes were there. The street was full of them. How many were there for the purpose of fighting I cannot say. There were certainly not over fifteen white men present. That I discovered after it was over.

Q. How many colored people do you judge now; of course you cannot tell exactly?—A. I should judge at least two hundred.

Q. Now, what part of that two hundred were women and children, if any?—A. I saw no women. I saw some boys, and pushed one boy in Vass's store to keep him from getting hurt.

Q. Were there any boys in the front of the crowd, immediately fronting the white people?—A. No, sir.

Q. Now you say that, according to all appearances, in your opinion there was a necessity for the white men there to fire?—A. I did indeed think so.

Q. Did you observe any firing after the necessity had passed?—A. I did not.

Q. Taking it for granted that these men had to fire to defend themselves, you think they did not continue firing longer than necessary?—A. No, sir; I do not. I did not see any.

Q. Saturday is the day that most colored people are on the streets, is it not?—A. Saturday afternoon late.

Q. Now, what time in the day, Saturday, is there usually a crowd of colored people doing their marketing, and so on?—A. There was only one class of colored people that get out early Saturday afternoon, and those are tobacco factory hands; they are paid off, I suppose, at 4 o'clock; I think it is at 4 o'clock; and from half past 4 until I go home at night the negroes are on the street.

Q. Was this crowd on the street that day earlier than common?—A. Much; yes, sir. When I came from my dinner, which was not over quarter past 2, there were large crowds of negroes on the street. In fact for the last few days before that there was a great many negroes on the street—on the corner. It was not an unusual sight.

Q. This crowd, then, was earlier on the street than usual?—A. Yes, sir.

Q. By some two hours?—A. At least an hour and a half.

Q. Did you arm yourself when you went up the street?—A. I was armed; yes, sir.

Q. Were you a member of any political organization there?—A. I was a member of the Third Ward Democratic Club.

Q. Will you say if anything came to your knowledge looking toward getting up this riot—provoking violence on the part of the whites?—A. Nothing came to my knowledge; but, on the other hand, everybody that I have conversed with or heard talk about it, advised their friends to do all in their power to prevent such things; that they believed it might be brought about for political effect to throw out the vote of the county.

Q. To throw out the vote of the county?—A. Yes, sir.

Q. That was what you had to guard against?—A. Yes, sir.

By Mr. LAPHAM:

Q. You think the colored people in the front were not there from curiosity?—A. No, sir; I did not think it. They were not there through curiosity.

Q. Did you go there from curiosity?—A. No, sir.

Q. What did you go for?—A. I heard——

Q. What did you go for?

Mr. VANCE. I think he has a right to answer that question in his own way.

Mr. LAPHAM. I insist he has not.

Mr. VANCE. I think he has. You asked him what he went there for, and he began to tell you, and you choked him off.

Mr. LAPHAM. He began to tell——

The WITNESS. I began to state why I went there.

The CHAIRMAN. That is the question put to you.

By Mr. LAPHAM:

Q. Again I put it. For what purpose did you go there; you said you did not go from curiosity; now, for what purpose did you go there?—A. I went there to help protect a few white men from being hurt by those negroes.

Q. What arm did you have?—A. A pistol.

Q. What kind of a pistol?—A. Smith and Wesson—38 caliber.

Q. Was it loaded?—A. Yes, sir.

Q. Where did you get it?—A. Bought it from J. E. Schoolfield & Co.

Q. When?—A. About two months before this.

Q. What quantity of such arms did they have at the time you made the purchase?—A. I cannot answer that question.

Q. Well, you know they had some, don't you?—A. I suppose they had; I would not like to swear as to the quantity they had.

Q. Did not you see them?—A. Oh, yes; I saw more arms.

Q. Where did you get your ammunition?—A. I got a box of cartridges with the pistol.

Q. At the time you bought the pistol?—A. Yes, sir.

Q. Did you shoot?—A. Yes, sir.

Q. How many times?—A. Three times.

Q. What direction?—A. I shot in a direction down the street from where I was standing.

Q. Into the crowd of colored people?—A. Yes, sir.

Q. When they were fleeing?—A. No, sir.

Q. You shot directly at them, did you not?—A. Yes, sir.

Q. You meant to hit, did you?—A. I meant to protect myself.

Q. That don't answer my question. You meant to hit them, did you not?—A. I saw cause for that shooting.

Q. Did not you mean to hit, if you could? Now, answer that question.—A. Well, I did not have any desire, sir, to kill any particular person.

Q. I did not ask that.—A. I did not shoot with intent to murder anybody.

Q. No, I did not ask that. When you fired did you not mean to hit, if you could?—A. Yes, sir; I fired right into the crowd.

Q. Well, did not you mean to hit, if you could?—A. Yes, sir.

Q. And you shot three times in that manner?—A. Yes, sir; three times in succession.

Q. Within what time?—A. As quick as I could. It was a double-action pistol.

Q. Yes, as quick as you could pull the trigger?—A. Yes, sir. I did

not look to kill any negroes, because there was one looking right at me——

Q. Oh, I did not ask that thing.

Mr. VANCE. Witness, you must not say anything that will displease Senator Lapham.

Mr. LAPHAM. I have a right to put questions in a categorical manner and the witness must answer.

The CHAIRMAN. The witness ought to answer the question and then he ought to have time enough to state any qualification.

Mr. VANCE. Yes; but you chop him right off.

The CHAIRMAN. You ought to answer the question and then you can explain.

The WITNESS. I have the privilege of adding?

The CHAIRMAN. Yes; no doubt about that.

By Mr. LAPHAM:

Q. Where were you standing when you shot?—A. I was standing at a point right between Ruffin, Woolfolk & Blair's office and H. L. Vass's hardware store.

Q. Did you see any other persons shoot?—A. Yes, sir; I saw C. H. Merritt shoot; a man by the name of Reagan—I do not know his initials—and I saw T. J. Lee shoot.

Q. How many times did they shoot?—A. I cannot answer that question; I do not know.

Q. Do you know who shot first?—A. I do not know; but I do know that the firing was simultaneous——

Q. No, you have answered my question now. Now, do you say you do not know who shot first?—A. I do.

Q. I think you say you cannot give the names of any colored persons who shot?—A. No, sir; I cannot give the name, but my attention was particularly drawn to one, and I can describe him.

Q. Well, when I ask you to you may.—A. Yes, sir.

Q. Do you know Mr. Hatcher?—A. Yes, sir.

Q. Did you see him there?—A. Yes, sir.

Q. Did not you see him shoot?—A. I did not.

Q. Were you examined before the committee of forty?—A. I was not.

Q. Did you see Captain Graves there?—A. No, sir; I did not see him.

Q. What was your business at that time?—A. Merchant.

Q. What kind of merchant?—A. I deal in hay, grain, and lime.

Q. Produce merchant?—A. Yes, sir.

Q. Where was your store with reference to the scene of this riot?—A. It was about two squares below the scene.

Q. Towards the opera house?—A. Below the opera house; yes, sir.

Q. You were below the opera house?—A. Yes, sir; on the opposite side of the street.

Q. Were you at the meeting in the opera house?—A. No, sir.

Q. Now, you were a member of the Democratic club, you say?—A. The third ward club; yes, sir.

Q. Do you know of a resolution withdrawing patronage from colored people and Readjusters?—A. Do you want me to say what I know of it?

Q. No; I want you to answer yes or no, whether you know of it.—A. I have only heard of it. I know nothing of it.

Q. You were not present at the meeting?—A. No, sir.

Q. Do you know of any proposition to refuse to rent to that class of people?—A. No, sir.

Q. You did not know of that?—A. No, sir.

By Mr. VANCE:

Q. You were asked if you could name any colored men that shot; you said you could not, and then you started to say something else.—

A. I said I could describe one that shot, because he shot in my direction.

Q. Describe him.—A. He was a tall mulatto, with little side whiskers; I did not know the negro at all; if I had ever known him I could have told his name.

Q. Did you find out afterwards who he was?—A. No, sir.

Q. Don't know yet?—A. No, sir.

Q. He was the one to whom your attention was particularly attracted?—A. Particularly attracted me; yes, sir.

Q. You started to say you knew that they were firing when you were asked who fired first.—A. I said I considered it a simultaneous firing on both sides. That is what I started to say.

Q. Simultaneous firing from both sides?—A. Yes, sir.

Q. Did you hear any bullets?—A. No, sir; I did not.

Q. Did you see any indentations upon the walls of the building, or anything, after the firing was over?—A. Well, I noticed several on the walls around there, but did not notice them particularly; not enough to describe them.

Q. Do you know anything of the habit of the colored men carrying arms in that city?—A. I cannot say that I do.

Q. You do not keep arms for sale?—A. No, sir.

GEORGE W. SWAYNE sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville, Va.

Q. How long have you lived there?—A. I was born and raised there.

Q. Spent your life there?—A. Yes, sir.

Q. What business do you follow?—A. I am a manufacturer of tobacco.

Q. Did you see anything of this riot?—A. Yes, sir, I saw some of it.

Q. Before going to that I will ask you if you were present when Mr. Sims spoke on the night before?—A. I started round there to the court-house where he was to speak, and when near there I came in contact with Mr. E. W. Barksdale.

Q. What took place?—A. A large crowd that was assembled in front of the court-house was at that time being addressed by a colored speaker. They were waiting for Mr. Sims; they were cheering pretty wildly. Some comment was made either by him or myself, and he keeping up the conversation, remarked, "Yes, I'll be damned if we haven't got you. We have the white men of the Southwest with us, and we have the negroes right against you, and I'll be damned if we can't turn them loose on you in five seconds." At that time we were in sight of the crowd; the street separated us from the large crowd; the crowd was composed chiefly of negroes. They seemed to be very boisterous, and I had intended going up in the crowd, but I was a little apprehensive after he expressed himself in that manner, and then, seeing that he went up into the midst of the crowd on the stand, I turned and went back.

Q. What are Mr. Barksdale's politics?—A. He is a prominent Readjuster or Republican.

Q. Coalition?—A. Yes, sir.

Q. What did you see of the fight?—A. I cannot say that I saw—I was on the lower end of the street Saturday afternoon in Mr. Bryden's

drug store in the lower end of the street, and some one run in and said they were fighting up town, and I came out, and as soon as I came out I looked right up the street. I saw a large crowd about opposite B. W. Graves's grocery store, I thought, and Ruffin's office, both on the opposite side of the street, and I came on up the street. The crowd seemed to be pressing in from the center, as I supposed. I came up within, I reckon, 50 yards of the crowd. I could not recognize any one except it just seemed to be colored men on the outside of the crowd, and I met a colored man running down, and inquired what it was, and he said there were a few white men inside the crowd, and they were crowding in on them and fighting. I was not armed, and I was trying to debate in my own mind whether to go in the crowd, not being armed, to the rescue of these white men that this man that was running from the fight told me about, or whether to stay away, and just at that time the crowd opened and I heard the shooting and ran into a store. The proprietor of the store locked the front door, and I was in there then until everything was quiet.

Q. How did matters appear to you when you got up there; did the crowd seem to be excited and angry or otherwise?—A. I thought it was a very serious-looking mob, and I tried to get the complexion of the crowd, but I could not recognize any faces, but it seemed to be all black men on the outside.

Q. Could not see a white man?—A. I could not see a white man at all.

Q. Judging from appearances, did you regard the white men in any danger?

Mr. LAPHAM. Why, he was 9 rods away.

The WITNESS. No, sir; I was within 50 yards at least.

Mr. LAPHAM. Well, that is 9 rods.

The WITNESS. One hundred or 150 feet.

Mr. LAPHAM. That is 9 rods.

Mr. VANCE. Well, we will not get into any mathematical dispute.

The WITNESS. I was in Mr. McIntyre's store; that is where I went in, that is 100 or 150 feet.

By Mr. VANCE:

Q. From the way it appeared to you did you regard the white men there as in any danger?—A. I stopped to ascertain whether it was my duty to go in, as the crowd seemed to be largely composed of black men, and seemed to be pressing in the center; I did not know who was in the center, but this man told me they were white men in there; and I was trying to decide whether I ought to go, and especially as I was unarmed; whether it was right to go. I just see arms up this way [indicating] and pressing in; and sticks; saw them pressing in that way with sticks, and then when I heard the shots I just stepped right in the store, and the proprietor locked the door immediately.

By Mr. LAPHAM:

Q. You testified before the committee of forty?—A. Yes, sir.

Q. Did you state anything of this there?—A. No, sir; I was not asked.

Q. Now, Barksdale is a jocular fellow, is he not—has a habit of using jocular expressions?—A. Well, Mr. Barksdale said he did not know me, and I confess I never was thrown with him, and had no familiar acquaintance with him.

Q. Was he laughing when he was saying this to you?—A. No, sir;

he did not make that impression upon my mind. I think I would probably have heard some of Sims's speech if he had conveyed the impression to my mind that he was joking.

Q. No, I am speaking of your talk with Barksdale?—A. Yes, I am speaking of the impression I received from his remark.

Q. You do not know whether he is a person who is in the habit of using jocular expressions?—A. As I say, I am living there all the time, I am in and out there; I have seen him on the street; I knew he was a man that used profane language.

Q. Well, he uses extravagant expressions, does he not?—A. Well, I suppose he might.

Q. Do not you know that that is his habit?—A. Well, I say I have never been thrown much with him; I knew the position he held; I knew he was a man in politics.

Q. Were you a member of the Democratic club?—A. I was not.

Q. You are a member of the Democratic party?—A. I always vote that ticket.

Q. Do you know of any arrangement or understanding that the Readjusters and colored people should not be patronized?—A. Not of my own knowledge.

Q. Did not you learn of it?—A. My attention was called to it from Mr. Merritt's card in the paper.

Q. You saw such a statement published in the paper, then?—A. Yes, sir; that is the only recollection I have of the statement.

Q. Did not you also know it was talked that the owners of property should not rent to such persons?—A. I heard that on the street that it would be a good—I heard it in this connection——

Q. It would be a good plan to adopt?—A. No, sir; I heard it in this connection. There was only one ward in the town that had a white majority, and it was understood that the colored people were being transferred to citizenship in that Third ward, in order to have the control of it, and I heard numbers living in that ward—and I live in it myself—say that we wanted protection against them, and the way would be to rent our houses to white men in the ward in preference.

Q. Was not there also an arrangement if owners lost rent by that they should be reimbursed?—A. If so, I do not know anything about it.

By Mr. VANCE:

Q. You say that the arrangement arose from the fact that they were colonizing votes from there?—A. Yes, sir; there was only one ward that the whites had a majority, and it was understood that they were colonizing from the first ward, where they had a heavy colored majority, into the third ward, and this was a protection against it.

Q. Did you hear anything in the nature of premeditation about this riot?—A. I heard to the contrary, exactly. It was this, that the election machinery and the State officials were Readjuster, but that we were confident of gaining a victory, and that if we were not very conservative and very cautious they would seek on the least pretense to cheat us out of the fruits of the victory. I heard the leaders advise and caution Democrats to be very peaceful and very quiet, not even to resent any personal difficulties that might be construed as having any bearing upon politics at all. Mr. Schoolfield, one of the prominent men there, in fact advised me that way. That was the sentiment among all the leaders, that we could win fairly, and that we did not wish to be cheated out of the fruits of the election, especially as the returning board, &c., were members of the opposite party.

Q. And it was the obvious policy of the Democratic party to have no violence?—A. Yes, sir, it was, so far as I heard on the street.

By Mr. LAPHAM:

Q. I understood you to say that you did not arm yourself that day.—A. No, sir; I did not arm myself until after. I had no arms.

Q. You did not arm yourself until after; you had no arms?—A. I stated I was not armed when I came up the street and saw this difficulty.

Q. I understood you to say you were not armed that day.—A. No, sir; I did not say that.

Q. You did arm yourself?—A. After the riot, I did.

Q. What with?—A. I went down to Mr. Valentine's store and bought an \$11 pistol.

Q. What kind of a pistol?—A. I think that is the finest; probably, Colt's.

Q. Five or six shooter?—A. Five-shooter.

Q. Loaded?—A. I did load it; yes. I would like to state why I did.

Q. Oh, that is obvious enough.—A. No, sir; it might not be. I am a manufacturer of tobacco, and I was told that our insurance ceased whenever the town was in the hands of a mob, and I got my pistol and got a pistol for my manager; we went to my factory, just about 100 yards from this place, and we proposed to protect our property in case the riot should develop into anything like house burning.

By Mr. VANCE:

Q. You did not arm yourself with any intention of committing violence upon anybody?—A. No, sir.

Q. Just for the protection of your property?—A. Yes, sir; I do not carry arms.

Q. You did not carry arms habitually?—A. No, sir.

WASHINGTON, D. C., *March 31, 1884.*

J. P. ENRIGHT sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville, Va.

Q. How long have you lived there?—A. Since 1868.

Q. That would be about 16 years.—A. Yes, sir.

Q. What is your business there?—A. I am cutter in a merchant tailoring establishment.

Q. What tailoring shop?—A. T. L. Gibson & Co.; it was at the time of the riot Gibson & Randall.

Q. Did you know a fellow-employé there by the name of Johnson?—A. Yes, sir.

Q. What was his given name?—A. James L. Johnson.

Q. Will you describe anything that you saw about the riot on the 3d of November?—A. I did not see anything of the riot, sir; I was in the opera house at the time. Mr. Johnson and I were together. I didn't leave the Opera House until after the firing. There was a very large crowd in there, probably some five or six hundred, and we got out as soon as we could; and when we got out the firing was all over. I don't think there was but one shot fired after I got out, and that was in the market square. I think that shot was fired accidentally.

Q. Did Mr. Johnson shoot, or take any part in the riot all?—A. He was with me.

Q. He was with you in the opera house?—A. Yes, sir.

Q. Did he come out with you?—A. Yes, sir.

Q. And you and he were together on the street?—A. Yes, sir.

Q. Until after the firing was all over?—A. Until after the firing was all over.

Q. And he did not shoot at any one?—A. No, sir; there was but one shot fired after we got out of the opera house, and that was in the market square. Furthermore, Johnson was not armed until after we went back to the store. When we went back to the store then he armed himself. He didn't have a pistol down there with me at all.

Q. A witness by the name of Addison Coles testified that he saw a man who was a tailor and worked in the shop of Gibson & Co., and whose name he afterwards learned was Johnson, come out to the corner of Main and Union streets and shoot two colored men, whose bodies were afterwards found lying there near the corner of Main and Union streets.—A. That is not so, sir.

Q. You say that is positively untrue?—A. That is positively untrue; yes, sir.

Q. Were you with Johnson all the time?—A. Yes, sir.

Q. What other tailoring establishments are there in Danville?—A. There is one more.

Q. Who is that?—A. Mr. David Jones.

Q. Do you know the employes in that shop?—A. Yes, sir.

Q. Was there any one there by the name of Johnson?—A. No, sir.

Q. Where is this shop of Gibson & Co. located?—A. On Main street.

Q. How far from the scene of where these two men's bodies were found?—A. Do you mean from the corner of Main and Union streets.

Q. Yes.—A. I suppose it is about, probably, 25 yards.

Q. That witness testified—

I saw a man come right up Union street, on the corner of Main street, right by a little apple market that stays right there on the corner by the old post-office. I was still standing there. I was standing sort of in the middle of the street then, because that horse had run up there. I still stood there in the middle of the street. This time I saw two men on the other side of the street coming running up Main street. A good many people were running up street, and the time these people were running up the street this man who came up Union street went up Main street. He went right to the corner, at this little apple market I was telling you about, and when he ran up to the corner there he drew his pistol from behind, and he remarked to the people running up street, "Look out! look out!" and he fired just as that man turned the corner of Mr. Wiseman's drug-store; and he shot three times, and I saw two men fall; and I never saw anybody else shoot but that man.

Q. Who was that?—A. I didn't really know the man.

Q. Was he a white man?—A. He was a white man, and I will tell you what I understood his name was. I didn't know who it was myself.

Then he goes on to say that he asked a man named Motley, standing by him:

A man was standing by me of the name of A. M. Motley. Says I, "Motley, look at that man shooting both of them men down." Mr. Motley said to me, "That's Johnson; I know him well." And that time the fire-bell commenced to ring.

Now, how far was your business place, tailoring establishment, from that corner as described?—A. About 25 yards. I suppose, probably, about 25 or 30 yards.

Q. And you say that this man Johnson was with you in the opera house, and was with you on the street?—A. Yes, sir; we came up the street together.

Q. And had no arms, and took no part whatsoever in the affray, and shot nobody?—A. No sir; he did not shoot anybody, and had no pistol with him at that time; neither he nor myself were armed at that time.

Q. Did you see any evidence of unusual excitement among the colored people that day, before the riot?—A. Yes, sir.

Q. State what it was.—A. They would meet around in groups together, and they were very insolent—not only insolent, but insulting.

Q. Where did you see any of that?—A. On that morning there was, I think, about four, or probably six young colored men standing in front of the store door; the door was closed, and they were obstructing the passage of customers in entering and retiring from the store; I opened the door, and asked them to leave; that they were obstructing the passage-way there in the door; they all left except one, and I saw that he did not intend to leave, and I was making towards him, making an effort to push him from the door; he saw me making towards him, and he left and went out toward the curbstone, and he turned round and said, "What are you fixing to do?" I told him I was fixing to push him from the door. He remarked—he either said, "I will be damned if pushing days are not over," or, "God damn it, pushing days are over," one or the other.

Q. Pushing days are over?—A. Yes, sir.

Q. You only wanted him to leave so the passage of customers in and out would not be obstructed?—A. So the customers could get in and out; yes, sir.

Q. And he made that answer to you?—A. He made that answer; yes, sir; if I had struck him at that time, probably the riot—

The CHAIRMAN. You need not say what would have been if so and so; that is going too far.

By Mr. VANCE:

Q. Were the others standing near?—A. Yes, sir.

Q. Is that all you know about the matters and concerning the riot?—A. Yes, sir; that is all I know.

Q. Were you a member of any political organization there?—A. I was, sir.

Q. What one?—A. The Third ward Democratic club.

Q. Will you please state what your counsels and advices were about avoiding violence, if any?—A. I did not attend any of the meetings of the club, except one, and then only about ten minutes. The general advice, though, to the citizens there was to keep quiet and not be the means of causing any collision between the whites and blacks.

Q. Was there any preparation or premeditation, so far as you know, to bring about this riot?—A. Nothing, sir, so far as I know.

Q. You never heard any from any of your political associates?—A. No, sir.

Q. Anything of that kind?—A. I never did.

Q. Did you see any preparation for it?—A. No, sir.

Q. I suppose there was a considerable state of political excitement there?—A. There was, sir.

By the CHAIRMAN:

Q. You did not take an active part then in politics?—A. No, sir.

Q. You attended the meeting of the club but once, you say. Were you present at the time the resolutions were adopted not to trade or to deal with Readjusters?—A. No, sir; I was not.

Q. I suppose there is more than one Mr. Johnson in Danville, is there not?—A. There is only one Mr. Johnson, a tailor, there.

J. E. PERKINSON, sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you been there?—A. I have been there over three years; between three and four years.

Q. What is your business there?—A. I am clerk in a book-store.

Q. What book-store?—A. E. R. Waddell & Brothers.

Q. Where were you on the day of the riot?—A. I was in my store at my place of business.

Q. Where is it located with reference to where this riot occurred?—A. It is about 75, or perhaps a few more, yards from the scene of the riot.

Q. Is it on Main street?—A. Yes, sir; on Main street.

Q. Up towards the Arlington, or down towards the opera house?—A. It is up towards the Arlington; second store from the corner.

Q. About 75 yards, you think?—A. Yes, sir; not less than that.

Q. Just describe in your own way what you saw and heard of the riot.—A. I saw part of the fight between Noel and the negro from the store door. I heard the row and went to the door and saw the fight on across the street, the fisticuff, and stood there a while and saw a pistol go off; I then got my hat and started across the street, and when I got there the fight had been stopped.

Q. It had been stopped?—A. The fisticuff had been stopped, and I walked up to Noel (he was a personal friend of mine), and asked him if he was hurt. He told me he was not hurt except his hand was bruised. He showed me his hands and I saw they were bloody and thought he had been cut; then, I think, I suggested he had better go across the street, and perhaps some one else did, and wash his hands, because there was a great deal of excitement, people walking up and seeing him in that condition and he might be assaulted by some of the negroes, and he started on across the street, started over toward the store, and I started after him thinking perhaps he might be attacked by some of the negroes, and did not get more than half way across the street and I came back to just above the crowd of white men and crowd of negroes, I had just got there when this negro, Hense Lawson, came up where I was and another negro walked up to him and says, "What is the matter?" He says, "I have had a fight with a white man. I ain't afraid of anything, but I am satisfied." He stood there quietly.

Q. He said he was not afraid of anything, but was satisfied?—A. He was satisfied; and while standing there the firing commenced—firing on both sides. I turned instantly; I was unarmed, and started up the street for fear of being shot perhaps by white men, or by negroes. I saw the negroes shoot, and started into the second store about where I was originally standing, but did not get further than the door. As I turned I saw Walter Holland as he was picked up by two men on the street, and I turned and went down to their assistance. They took him up and carried him into Guerrent's Store; I followed on behind; of course I could not get hold to assist them. The other men had him; they laid him upon the counter; by that time the firing was all over; I did not observe the shooting any further after I saw Holland; I crossed the street and went on up, passed the two negroes on the corner—they were lying there—to report to the armory; Captain Oliver (I am a member of the Danville Greys) and myself went into the armory together; I says, "Captain, won't you call the men out; won't you have the signal?" He says, "Yes; you go over and ring the signal." I started out of the armory, but, I says, "I haven't a pistol, and the court-house is some

distance from here, and I am afraid the negroes have congregated over there." He says, "Take my pistol, and go over and ring the fire bell." I started out and met the deputy sergeant of the town, Wood (Captain Wood here), and asked him to go with me, and Captain Oliver told him to. We started over, and rung the fire bell; I afterwards came back and reported for duty, and was on duty from that time until Tuesday.

Q. I understand you that you started off to accompany Noel to wash his hands?—A. Yes, sir.

Q. Under the impression that there being so much excitement it would not be well for him to be seen bloody on the street?—A. Yes, sir.

Q. And before you got to the place where he was to wash his hands you turned back?—A. I turned back; the crowd dispersed, and I turned back.

Q. Then you returned to Lawson; saw Lawson, the man who had the fight?—A. I did not return to him. I crossed the street and was standing there, and as I turned accidentally I suppose he came up.

Q. And while talking to him, or soon after, the firing began, and you started back to the store; you had no weapon?—A. I did not talk with him at all. I heard him talking with another negro.

Q. You started back to the store, and before you got there——

A. No, sir; I paid no further attention to this. He may have moved off before the shooting commenced; this was scarcely a minute before the shooting; he may have been standing there, or may not. I stood there though after this; I did not cross but once.

Q. And the firing commenced then, and you having no weapon, as I understood you to say, did not go up into the crowd?—A. No, sir.

Q. And when you saw Mr. Walter Holland fall——

A. I didn't see him fall.

Q. You saw the men taking him up?—A. Yes, sir.

Q. But you came to help them carry him off somewhere to be treated?—A. Yes, sir.

Q. And before you got him disposed of the firing was over?—A. Yes, sir.

Q. Now, you saw the beginning of the firing, did you; were close by?—A. Yes, sir; I was not looking at the men as they drew their pistols; I saw pistols go off.

Q. I want to know if you saw firing from both sides?—A. I did.

Q. Can you name any colored man whom you saw fire?—A. I cannot, because in my business I come in contact with very few colored men, and furthermore I was very much excited. I cannot identify anybody; I could not have identified myself about that time.

Q. But you are confident there was firing from both sides?—A. Yes, sir.

Q. Do you know anything of the habit of the colored men carrying weapons in Danville?—A. There is a colored man that works in our place of business, as pressman, and he carries a pistol; he had one that day; admitted it. A young man in the store with me saw the pistol.

Q. Do you know of any others that carried pistols?—A. No, sir; neither white nor black.

Q. Did you see any one trying to get the crowd to disperse?—A. Yes, sir. When I got down there Captain Booth was asking the negroes to disperse; and Captain Oliver, Mr. Corbin, and perhaps some others, but these I remember distinctly. I heard one white man say, "If you negroes will disperse the white men will disperse." I saw the negro policeman trying to disperse the crowd.

Q. That was Withers?—A. Yes; and I saw a white man come out into the crowd and ask them to disperse.

Q. How many white men did there appear to be?—A. I suppose there were fifteen or twenty, sir.

Q. How many colored men did there appear to be?—A. Well, two hundred.

Q. What appeared to be the temper of the crowd?—A. Very much excited; both sides.

Q. Very much excited?—A. Yes, sir.

Q. Did you hear the colored men say anything in response to the exhortations of Messrs. Corbin and Booth and others to disperse?—A. No, sir; they seemed to pay no attention. They kept crowding up and closing up on the white men who were on the pavement.

Q. Did you hear any one demand to know who it was that shot?—A. Yes, sir. I heard a negro point Taylor out as the man, and Taylor was the only man that I saw expose a pistol before the firing. He pulled back his coat in that way [indicating] to show his pistol. There was some conversation—I could not hear it all—between him and the negro.

Q. How many colored people do you suppose there were there?—A. Two hundred, as I have understood, but that is merely a rough estimate. I could not count them.

Q. Of course it is an estimate in such a time as that. Did you notice any considerable number of them who were boys and women?—A. I did not notice any boys at all, and I am positive there were no women; there may have been some boys there.

Q. Saw no women at all, but there may have been some boys?—A. Yes, sir.

By the CHAIRMAN:

Q. Were you examined before the committee of forty?—A. Yes, sir.

Q. Your recollection of what occurred that day was fresher then than it is now, wasn't it?—A. I can't say that it was, sir; the lapse of time would of course make some little difference, though I have had it recalled frequently by talking of it, and reading testimony on the subject.

Q. How came you to be out on the street at the time of this riot?—A. I went out there because Mr. Noel was a friend of mine, and in a fisticuff with a negro, to his assistance.

Q. You did not see the beginning of the fight?—A. Not the fisticuff; no, sir; I was in my place of business when it commenced; I heard the fight and went out there.

Q. Mr. Noel was an acquaintance of yours, and you went out attracted by that fact?—A. Yes, sir.

Q. What do you mean by a fisticuff fight? Do you call it a fisticuff fight when one man armed, accompanied by two others armed, strikes a negro that is not armed and commences a fight?—A. I did not see anybody at all armed in that fisticuff.

Q. Did you not know the fact that Mr. Taylor was armed?—A. I knew it afterwards.

Q. Did not you know the fact that Mr. Noel himself was armed?—A. No, sir.

Q. Did not you know that Mr. Lee was armed?—A. No, sir.

Q. Didn't they have their pistols drawn?—A. I did not see them at all.

Q. Did not you see Mr. Lee and Mr. Taylor standing there with their pistols drawn near by?—A. Not from where I stood.

Q. You could not see that?—A. No, sir.

Q. And afterwards Hense Lawson, the colored man, came out and you saw him there, and he said he was satisfied?—A. He said that he was satisfied. He spoke with another negro and stated that. The negro asked him what the difficulty was, and he said that he had had a fight, and that he was not afraid of anybody, and that he was satisfied.

Q. Had he at that time washed the blood off him?—A. I did not notice that he had.

Q. You did not know that he had gone into the house and washed himself, and came out again?—A. No, sir; I didn't pay any further attention to it.

Q. Did you notice how badly he was bruised?—A. Yes, sir; I noticed he was bruised very badly.

Q. Was he then bloody?—A. Well, I couldn't swear to that. He was badly bruised. I didn't notice it particularly.

Q. Are you a member of the Democratic club there?—A. I am.

Q. What ward?—A. Third ward.

By Mr. LAPHAM:

Q. Who was the negro who said, "There is the man who did the shooting"?—A. I did not recognize him. I don't know that I knew a single negro in the crowd.

Q. Upon his saying that Taylor opened his coat and pulled out his pistol and showed it to him, didn't he?—A. He showed the pistol; I don't know that he took it out entirely; he showed it so that it could be seen.

Q. Then some one said "fire"?—A. I understood that they did from what I heard.

Q. You heard some one say "fire"?—A. I did.

Q. Now, are you able to tell who that was?—A. I am not; I could not tell whether it was a white man or a negro.

Q. Haven't you any opinion about it?—A. No, sir; I haven't formed any opinion because I could not form any without knowing.

Q. How many white men fired?—A. I could not swear to that.

Q. About how many?—A. I know there were ten or fifteen men in that crowd.

Q. White men that fired their pistols; did they fire successive shots?—A. What do you mean, sir?

Q. Did they fire a single shot, or did they continue to fire with their revolvers?—A. I did not notice but one firing. They seemed to fire; the firing seemed to be in the air. The first of the shooting that I saw, the pistols were raised above the heads and fired.

Q. The colored people ran as soon as they heard that firing take place, did they not?—A. They ran; yes, sir.

Q. And the only firing you saw from the colored people was as they were running?—A. I could not see until the crowd opened in front of me. I was above the crowd of white men.

Q. You spoke of their firing as they were running?—A. Well, they were firing back.

Q. That is the only firing you saw on the part of the colored people, wasn't it?—A. I saw five or six shots fired by colored men.

Q. I say that is the only firing you saw by colored men?—A. Yes, sir.

Q. The white men stood in their position and fired, didn't they?—A. I don't know as they stood. I could not say that they stood still.

Q. They did not flee, did they?—A. No, sir; they did not flee.

THOMAS A. J. THOMPSON sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside in Pittsylvania County.

Q. How far from Danville?—A. About a quarter of a mile from the town limits.

Q. How long have you been living there?—A. About three years.

Q. Where is your place of business; and what is your business in Danville?—A. Watchmaker, sir. My place of business is directly opposite to where the riot was—or at least it is more on an angle of about 45 yards, and about 35 yards from where the riot was.

Q. Standing in front of Woolfolk & Blair's office, and looking across the street, your office is a little to the right, or to the left?—A. My office is a little to the right, sir.

Q. Where were you on the day of the riot?—A. I was sitting at my bench at the window at work.

Q. You were at work at the window?—A. Yes, sir.

Q. Well, did you see the occurrences?—A. I believe I saw pretty nearly the whole of it.

Q. Will you please tell us in your own way—give us a narrative—of what you saw? Tell us the whole story.—A. The first notice that I had of it at all was, I heard some one hollering "murder," and I leaned up over my bench and looked out, and I saw a colored man standing about two feet from the edge of the sidewalk, and two men fighting up against the wall toward Ruffin, Woolfolk & Blair's; and this colored man that was on the edge of the sidewalk was hollering; the others were doing the fighting. It was a sort of rough-and-tumble fight between the two parties. It was kept up, I suppose, for perhaps a minute and a half or two minutes, as nearly as I could judge. After the fighting had been going on for a while, I heard the hollering, and I raised the window and saw two gentlemen standing there with their pistols drawn, and presently I saw a crowd running up the street, some of them with pistols in their hands.

Q. Whites or blacks?—A. Both whites and blacks. I did not know the names of any of the gentlemen that were running, either white or black. They seemed to come up in a squad right in front of a horse-rack that there is in front of Ruffin, Woolfolk & Blair's. In a few seconds after that I saw one colored man rush up to one of the gentlemen and snatch at his pistol, and when he did that there was a sort of scuffle, and presently I saw the flash from the pistol whilst the scuffle was going on, though I don't know whether he had hold of the pistol or whether he had let go of it; but I was standing over them, and they running, so I could not see who had the pistol in his hand at the time it went off. There was two other parties in the room, Thomas and John Diggins, that had come up there in the meantime to get a clock, when the firing was going on. I said, "My God! they are shooting up in my room; for God's sake, get back!" and we all got towards the back part of the room.

Q. Is your office in the second story?—A. My office is on the second story, yes, sir. We got back from the window a little while until I thought the fight was nearly over, and we went down to the door. When I went down to the door there was a colored girl standing at the door, and I told her to go on up into the building. She says, "I don't care; I want to see the fight." She was rather a bad character there, from what I had heard, and she went on about her business, and I went on up into my room again. After a little while I heard the alarm bell,

and I saw the military out on the street. I staid in my room the balance of the evening, until when about dark. Then I saw my wife coming down, scared to death, and said that the negroes were all congregating out in the neighborhood there. She came to town, and I went home with her.

Q. You say some of the bullets came into your upper window?—A. They did not come in, but from the way the pistols were pointed I thought they were shooting up at me in the window. I could not tell, not having been a resident of the place (I didn't know the people much), and I did not know what was going on. But on my way to town that morning I had to come through quite a delectable part of the city, in what is commonly known as "Hell's half-acre." At that time I was living in a section of the city that is pretty thoroughly peopled by colored people, and a good many of them thought right smart of me out there, and they came to me for assistance very often. That morning as I was coming to town there was quite a crowd of them down in the bottom, and I heard them say, "Never mind, we have got them all right this time; we are going to beat the election this time by all hazards," and cursing and swearing. I turned around and says, "Boys, you are foolish to talk that way; you ought not to carry on this way;" and I went around to Henry Swan, one of the members of the council, and I said to him, "Mr. Swan, look here; there is going to be trouble if these boys don't keep quiet. They are raising so much excitement down here, and I am afraid they will get drunk, and it will cause trouble; some of them will be arrested and locked up." With that I went on to my place of business, and never heard anything more about it until the fight was going on.

Q. From your window you had a good view of Lawson and Noel engaged in the fisticuff?—A. Yes, sir.

Q. Did either of them have any weapon?—A. I did not see any.

Q. You did not see any stick in the hands of Noel?—A. No, sir; he had no stick, as far as I saw.

Q. Nor any bowie-knife?—A. No, sir; I could not see any if he had it.

Q. You say it was not Lawson that was hollering, but another colored man?—A. It was another colored man standing two or three feet from the edge of the sidewalk.

Q. Before the firing began did you see any weapon in the hands of the parties, white or black?—A. There was two gentlemen (I didn't know their names at the time, but have since learned their names) were standing there—one on one side of the fighters, and the other one a little closer to the edge of the sidewalk; and those two had pistols and was hollering, "Stand back! stand back! give them fair play."

Q. To whom was that language addressed; were the colored men crowding up?—A. It was addressed to all, I considered, both white and colored, so as to have neither party interfere.

Q. At the time that the general firing began, did you see pistols there in the hands of anyone?—A. I saw pistols in the hands of both parties.

Q. Of both parties?—A. It seemed to me to be a general thing—that the pistols were not on one side of the crowd any more than the other; they were pretty well mixed up—the pistols.

Q. What did you judge to be the relative number on either side; how many whites, and how many blacks?—A. I suppose after the crowd had come up from the opera house, and about the time that the shooting was commenced, or to say about the time the shooting was a general thing, I suppose, as near as I can judge, there must have been about 20

white gentlemen, and perhaps between 200 and 300 colored, as near as I can judge.

Q. How many white men did you see present when the fisticuff was going on?—A. Only those two, except Mr. Noel.

Q. The two friends and the man who was engaged?—A. Yes, sir.

Q. Did you observe anybody trying to disperse the crowd and to keep peace?—A. After they commenced coming up the street, I saw one gentleman that had a large red mark on his neck (I forget his name, but I have heard it)—I believe his name was Hatcher—he was in the crowd hollering for them to get back; to disperse, and there was a colored police officer—or perhaps two. There was several parties out there (who they were I could not say) trying to disperse the crowd.

Q. You saw people making efforts to quiet the thing?—A. Yes, sir. I think I saw one gentleman out there with a large white apron on.

Q. The pistols that were fired up towards your window could not have been fired at the crowd, could they?—A. No, sir. I thought they were shooting at me, to tell the truth.

Q. I suppose you had no reason to believe they had anything against you?—A. Not that I know of, any more than I was from Washington City, and they thought I was a Republican, and they were shooting because they had some antipathy against them.

Q. Are you a native of this place?—A. Yes, sir.

Q. How long since you left here and went to Danville?—A. Between three and four years.

Q. What are your politics?—A. Well, I don't affiliate at all in Danville, but I vote out in the county. I voted the Democratic ticket.

Q. Were you looking right at the crowd when the general firing began?—A. Yes sir.

Q. How long after the first reports until the colored people began to run?—A. When the first shot was fired.

Q. Oh, no; I do not mean that single shot, but after the volley began to be fired, how long a time was it until the crowd ran?—A. I suppose it might have been some four or five or six seconds.

Q. Did you notice any colored men firing back as they went off?—A. I looked at some colored men with pistols in their hands, and one of them emptied his revolver. I went down to the door then, and one of them says, "Damn that bullet; I have fired it four or five times." He was throwing the cartridges out of his pistol, and threw the bullets down in the doorway, and when I saw that I went up in my room and stayed there, and didn't go down any more.

Q. Aside from this political excitement on that occasion, have you observed what state of feeling existed between the whites and blacks before that—whether it was kindly or otherwise?—A. Well, as I said, I have been living in a community where it was thickly populated with colored people, right out in the neighborhood of the poor-house, until within a few days ago, and I would hear the remarks of the colored people working in the town, and I would hear the remarks of the whites, and I have noticed that the colored people seemed to be very bitter against the whites, making threats that if they didn't carry the election what they were going to do; that they would not stay in the town, and all this sort of thing. And I have heard gentlemen talking in Danville, and they would say that they were going to gain the election, and all that sort of thing, in the same way.

Q. Before this, what had been the general disposition between the whites and blacks?—A. Kindly.

Q. It had been kindly?—A. Yes, sir; the time that I have been liv-

ing there I have always seen the colored and the white people to get along with as much kindness as any place I have ever lived in.

Q. You say that many of them applied to you for advice?—A. Yes, sir; I was living right in a bad locality, and there was a party living out there by the name of Scott, and he was a very overbearing, tyrannical man, and they would get me to ask Judge Blackwell questions, and then if they wanted warrants taken out they would ask me to go to the 'squire and get information, and get them, and so on; give me money and everything of that kind.

By Mr. LAPHAM:

Q. Can you name any colored man you saw with a pistol?—A. Well, I think Wesley Jones, our colored 'squire there, had a pistol that day.

Q. No, at that time, I mean?—A. At that time—no, sir; I could not name any, for I was not acquainted with the names of anybody around there and didn't know the names of anybody; didn't know a single person, white or colored.

Q. How many white people did you see with pistols?—A. I suppose during the fight there was in the neighborhood of about twenty or twenty-five.

Q. Did they fire successive shots?—A. It sounded more like fire-crackers going off than anything else.

Q. Quick firing—in quick succession?—A. Yes, sir; like as if it was a string of powder burning, and they were just popping indiscriminately.

Q. Were you near enough to see whether any of them reloaded?—A. No, sir; I could not say that I was.

Q. Did you hear the command to fire?—A. I did not.

Q. You do not know who gave that?—A. No, sir; I don't.

Q. As soon as the firing commenced the colored people ran, didn't they?—A. Well, I suppose within about four or five seconds.

Q. Well, that is an infinitesimal space of time; as quick as they could they turned and ran, didn't they?—A. Some of them ran as quick as they could; others——

Q. The bulk of them ran, didn't they?—A. Yes, sir.

Q. The white people didn't run?—A. They seemed to be running up the street, too, some of them.

Q. Yes, they followed the blacks, didn't they?—A. No, sir; the blacks went on down the street.

Q. You say the whites did not follow after the blacks and fire at them as they ran?—A. I did not see them.

Q. Do you say they did not?—A. I couldn't say they did not, because I didn't see that they did not.

Q. Did you hear firing after the colored people ran?—A. Yes, sir.

Q. Did you see any one that was killed?—A. No, sir.

Q. You did not go out of your shop?—A. No, sir; I don't like to poke myself amongst powder when it is going off.

Q. What made you think they were firing at you; because you were a Republican?—A. Because it was reported around the town that I was a Readjuster; because I had so many colored friends down there, and they came to me for advice.

Q. Did you think that they were going to fire at you on that account?—A. Well, I heard——

Q. Just answer my question; did you think they were going to fire on you on that account?—A. I did not know what they might do.

Q. You thought they were firing at you?—A. I saw the pistols firing pointing at me.

Q. And you thought they were firing at you because you were a Re-adjuster?—A. Yes.

Q. And those pistols pointed towards you were from the white people?—A. As far as I could see; yes, sir.

R. L. OSBORN sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you lived there?—A. About six years.

Q. What is your business?—A. I am in the ice business with my brother-in-law.

Q. Where were you on the 3d of November when this riot occurred?—A. Well, sir, part of the time I was on Main street in Danville, and part of the time in other portions of the town.

Q. Were you present when the riot took place?—A. Yes, sir.

Q. Please state where you were.—A. That was on Saturday, and I was out collecting that day; I was up on the corner of Union street when I saw a white gentleman and a colored man fighting down on Main street, somewhere near Woolfolk & Blair's office. I walked down that way to see it, and before I got there the fight was over with them two. I went up and asked Mr. Noel if he was hurt. He said, "No, not badly;" his hand was sort of bruised. I took his hand and looked at it and saw some blood about on his hand but didn't see any scars, or anything, as if he had been hurt badly. The darkies were gathering up there very fast then, and there were very few white men around there. Mr. Hatcher was in the crowd, and, I think, Mr. Lee (I ain't sure about that) was there. The darkies were crowding up very fast, and Mr. Hatcher asked them to get back and told them to disperse. I also saw one or two policemen, probably more, out in amongst the crowd asking them to get away; but they would not get back. Mr. Hatcher goes out on the sidewalk and asked them to get back. They said, no, they would be damned if they was going anywhere. Some of them made that remark; I don't know who they were; they were not going anywhere. And Mr. Hatcher said, "What do you mean; what do you want?" and one of them hollered out and says, "We mean fight"—just that way.

Q. "We mean fight"?—A. Yes, sir; "We mean fight."

Q. Well, continue the narrative.—A. When he made that remark, I think it was Mr. Lee asked them to get away and not have any fuss. I don't know all the remarks that was passed between the white people and the blacks, asking them to get back; but in a few minutes the firing commenced; at the time somebody shot; I don't know who it was. The first firing commenced, I think, from accidental firing, probably amongst some people scuffling. There were so many people between me and those two scuffling down there, I could not say who they were.

Q. How close were you at that time?—A. I was right up on the sidewalk; but there were so many colored people there that I could not see from one end to the other.

Q. Were there any colored people between you and these few white men that were there?—A. Yes, sir; there was, simply because I was sort of on the edge of the sidewalk, and the colored people were sort of in what we call the gutter there, and I could not see right down for the colored people. I pretty soon got up on the sidewalk, and probably eight or ten white men were there at that time, and a few more came up.

Q. When the firing began, how many white men do you say were present?—A. I cannot say positively, but I don't think there was over twelve or fifteen when it first commenced. Of course, more came up after it commenced; I don't know how many then.

Q. How many colored people do you say there were in front of them?—A. Well, sir; I could not say positively, but I think there was about two hundred and fifty. I don't say for sure, but that is about what I think about it.

Q. That is your best impression?—A. Yes, sir.

Q. What proportion of them were boys, or women?—A. Well, sir, I didn't see any women. Probably there was a good many boys standing on the outer edge, but not in front. I could see some boys running up and sort of sticking their heads in between on the outer edge of the crowd; seemed to be trying to look on.

Q. Did you see weapons in the hands of anybody, white or black?—A. I did, sir.

Q. Can you name the parties who had the weapons?—A. I think I can name one or two white men, but I don't know the names of the darkies. I saw a good many of them among the darkies, but I really don't know the names of many darkies in the place, and could not name them.

Q. Are you sure that you saw pistols in the hands of colored men?—A. Oh, yes; I saw pistols in the hands of colored men.

Q. How many do you think you saw?—A. Probably I might have seen ten or twelve; I can't say for sure about that. I saw a good many have pistols and knives in their hands. I saw some with pocket-knives in their hands also.

Q. When the firing began, could you judge, either by the sound or looking at the smoke, whether any firing came from the ranks of the colored people or not?—A. That is the only way I could tell that the firing—some of it—came from the colored people, was from the smoke. I saw some of them with their pistols this way [indicating], and saw the smoke; but, as they were firing on both sides, that is the only way I could discern that they were shooting.

Q. You could see the smoke rolling out from the ranks of the colored people?—A. From both sides.

Q. How long after the firing began before the colored people broke?—A. Well, sir, I suppose probably half a minute, or three-quarters of a minute; well, I should say half a minute. I don't reckon it was longer than that.

Q. It is pretty hard to judge of time under such circumstances?—A. Yes, sir; very hard to judge. I could not say positively about that thing. They stood there a little while, though; a short while.

Q. Did you see any of them fire as they ran?—A. I did see some fire over their shoulders, this way [indicating], when they started off.

Q. Now, how far were you away when the fisticuff took place between Lawson and Noel?—A. Well, sir, I suppose I was about—I reckon I was—probably 35 yards; may be, 40.

Q. Then you came down and approached the crowd?—A. Yes, sir.

Q. And you met Noel and asked him if he was hurt, and examined his hand?—A. Yes, sir; I did.

Q. What became of him then?—A. I don't know; after that I never noticed him any more. After I saw it was not hurt and saw so many people coming up both sides my attention was called then to the crowd that was gathered up, and I never noticed him any more.

Q. Did the colored crowd seem to be pressing on the white people,

or were they just standing their ground?—A. They were continually pressing on the white people up to the sidewalk. They were coming up just like they were coming right up at them. That is when Mr. Hatcher and two or three other white men asked them to stand back and disperse, and kept going between them and asking them to get back.

Q. When the colored people broke and ran, did the white men follow after them and fire, or did they stand their ground?—A. They stood their ground; didn't anybody follow. If anybody followed, I never saw it.

Q. You did not see them?—A. No, sir.

Q. Do you know anything of the habit of the colored people there in regard to carrying arms?—A. Well, sir, I seen some colored men with arms there, a good many of them.

Q. You have seen a good many with arms?—A. Yes, sir.

Q. Previous to this riot?—A. Previous, and since, too.

Q. Since?—A. Yes, sir.

Q. Are you a member of any political organization there?—A. Yes, sir.

Q. What club do you belong to?—A. The Democratic club, Third ward.

Q. Please state if at any time you heard the matter discussed in the club, or if you received any advice from anybody about the propriety of abstaining from any violence—collision?—A. I didn't attend the club every meeting. I was only there a few meetings, and I never heard anything of the kind while I was there.

Q. Do you know of anything tending to show that this riot was premeditated by the whites?—A. No, sir; I do not. I never thought of such a thing myself until it occurred.

Q. Were you placed on guard after the riot?—A. I was.

Q. Were you a member of the Danville Grays?—A. No, sir; I was not.

Q. By whom were you placed on guard?—A. Mr. Wood.

Q. Mr. Wood, the sergeant of the city?—A. Yes, sir.

Q. What orders did you get with reference to keeping the people from assembling on the street?—A. Well, sir, I got orders that no three persons should stand conversing together, neither white nor black.

Q. On the street?—A. Yes, sir.

Q. Did you have occasion to break up any crowds of more than three?—A. Yes, sir; I did.

Q. Did you at any time meet with any resistance or any angry language about it?—A. I did at one time.

Q. Where was that, and when?—A. That was two squares above the Arlington House; I could not tell exactly the place.

Q. It was on Main street?—A. On Main street; yes, sir.

Q. At what time?—A. About half-past 3 o'clock in the evening.

Q. What day?—A. Sunday.

Q. Well, describe what was said.—A. There was three colored men standing right on the corner, and I went up and told them that they would have to disperse, and two of them broke off right at once, and never had much to say; but one of them says, "I am not going anywhere myself," and says, "Damned if I am satisfied with this thing, and I am not going to be satisfied until I see this town burned down as flat as my hand."

Q. Do you know him?—A. No, sir; I do not. I called Mr. Lee up

as he came by, a few minutes afterwards, and showed him the man, and told him what he said.

Q. What Mr. Lee was that?—A. I think it was Mr. John Lee; it was a gentleman with a large mustache; I am not sure which one.

Q. He was a policeman, was he not?—A. Yes, sir.

Q. It was not the one that was participating in the fight—Mr. George Lee?—A. No, sir.

Q. You called up Mr. Lee, the policeman, and showed him this man that used that language to you?—A. Yes, sir.

Q. Did Mr. Lee arrest him?—A. No, sir. He told him that he had better go on away and have nothing to say, and told me to move on.

By Mr. LAPHAM:

Q. Were you a member of the executive committee of your club?—A. No, sir; I was not.

Q. Do you know of a resolution withdrawing patronage from the Readjusters and colored people?—A. I don't know that to be a fact; I heard something of it amongst the boys on the outside.

Q. You heard of it at that time?—A. I heard of it; I don't know at what time this resolution was passed, or whether it was passed. I heard of it—I heard some talk of it.

Q. Don't you know that the patronage was withdrawn from them?—A. I don't know that to be a fact.

Q. What did you say is your business?—A. My business is the ice business. I am in business with my brother-in-law.

Q. You did not hear the command to fire?—A. No, sir; I never heard any command to fire.

Q. What Hatcher was this you said was so active there?—A. I think his name is Mr. Ed. Hatcher. He has a large red scar on his neck here [indicating]. I am not sure that it is Mr. Ed. Hatcher.

Q. Did he use any profane language?—A. I cannot say positively. It seems like he says—I will not say for sure—he might have said, "I will be damned if you all musn't stand back, and this crowd must disperse." He may have said that; I don't know for sure.

Q. He ordered them in a peremptory manner to disperse?—A. Yes, sir; he asked them to disperse.

Q. Didn't he do it with an oath?—A. I can't say for sure; I ain't positive about that.

Q. Where was he standing?—A. He went out amongst them, just pushed right and left, and asked them to get away.

Q. Did he not stand there while the white people were standing there?—A. I think when the firing commenced Mr. Hatcher was out in the crowd of colored people.

Q. Do you know on which side the firing commenced?—A. I do not.

J. P. TAYLOR sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville.

Q. How long have you lived there?—A. About three years.

Q. What is your business?—A. I am in the leaf-tobacco business.

Q. You are a dealer in leaf tobacco?—A. Yes, sir.

Q. Were you in Danville on the day of the riot on the 3d of November?—A. Yes, sir.

Q. Did you see any part of that disturbance?—A. Yes, sir; I saw a portion of it.

Q. Will you please state in narrative form all that you saw pertaining to it?—A. Well, I was at the Arlington Hotel, and was attracted by a crowd running down the street, and went to the door and saw two men in a fight, and one I recognized to be a friend of mine, Mr. Noel, and I immediately went down there. When I got there the fight had just ended, and there were a great many negroes running up from every direction, so many that in coming down the sidewalk I had to push my way between them to get to the white men. As soon as I got there I went up to Mr. Noel and asked him whether he was hurt. He said no he didn't think he was except his hand, which was very bloody. I noticed the negroes pointing him out, and I had him to go across the street and wash his hand. I was afraid they might pick him out and injure him in some way, and I went across with him in company with another man, and we were in the store, back in the store of Hamlin & Hinton. And whilst he was washing the blood from his hand, and whilst we were in there the firing commenced, and one of the clerks of the store ran up and shut the door. Of course I was unable to see any of the firing except the few shots that were fired before the door was closed.

Q. Well, what did you see before the door was closed?—A. Before the door was closed I saw a good many negroes immediately in front of the door standing around the crowd, as I left them, in a very threatening position. I could not see the firing on account of its being a little to the right of the store, not immediately in front. The place where it occurred was not exactly opposite Hamlin & Hinton's store; and it only lasted for a very short time; and then a great many of the negroes ran through the store before the doors were closed.

Q. Now, you saw something of the crowd in making your way to Mr. Noel, and then in making your way with Noel across to Hamlin & Hinton's store?—A. Yes, sir.

Q. Was that crowd an angry one, or was it a curious one?—A. The impression made on me was that it was a very angry one; and that was the reason I advised Mr. Noel to go over there and wash his hands, so that they would not recognize him.

Q. He was too conspicuous with his bloody hands?—A. Yes, sir.

Q. Did you see any weapons in the hands of colored people?—A. I saw several.

Q. At that time?—A. At that time, before I left the place where the fight occurred.

Q. Did you hear any expressions made use of by them?—A. No, sir; I cannot say that I did.

Q. Cannot remember their language?—A. I heard, of course, a good deal of talk, but I remember no expressions.

Q. Did you see anybody trying to disperse them, and to keep the peace?—A. Yes, sir; I saw several—Mr. Hatcher, a negro policeman—Withers I think his name was—and one or two other men.

Q. Did you observe Mr. Booth?—A. No, sir; I did not see Mr. Booth at all.

Q. How many white men did you think there were?—A. When I got there to the scene I do not suppose there were over half a dozen.

Q. About the time the firing began, how many do you judge were there?—A. I suppose when I left to go across the street there had probably a dozen more gotten up—ten or twelve then.

Q. How many colored people did there seem to be?—A. From 200 to 300.

Q. Did you notice any women and children among them?—A. I no-

ticed some boys, but no women. The only woman I saw was an Italian peasant there, who was playing on the street—a musician.

Q. Did you see Mr. Noel have any weapon at all?—A. I did not.

Q. You saw no stick or bowie-knife?—A. No, sir.

Mr. LAPHAM. He says he did not get there until the fight was over.

Mr. VANCE. Well, he might have seen a stick, if he had had it in his hand afterwards.

Q. Do you know anything of the nature of knuckles when used on the hands?—A. No, sir; I do not.

Q. Did you see where Mr. Noel's hands were bruised?—A. Yes, sir; I looked at his hand after he had washed the blood off, and it was very much bruised all along on every knuckle and swollen.

Q. If he had used what they call brass knucks, would he have had those bruises on that part of his hand?—A. I could not say that, because I don't know anything about it; but I should not think he would.

Mr. LAPHAM. That is hardly evidence.

Mr. VANCE. If he does not know it, it is not evidence, of course.

Mr. LAPHAM. Well, he said he did not.

Mr. VANCE. But my understanding is that those brass knuckles protect the hand.

The WITNESS. I should think so.

Q. You say you cannot recollect any particular words the colored people said when they refused to disperse?—A. No, sir; I cannot.

Q. Were you a member of a political club there?—A. Yes, sir.

Q. Which one?—A. I am a member of the Democratic campaign club, second ward.

Q. Of the second ward?—A. Yes, sir.

Q. Do you know anything about what was said and done in the club with reference to avoiding violence or collision with the colored people?—A. I remember upon one occasion, at one of the meetings there, there was some one (I forget who it was now) made a speech to that effect, to abstain from all violence of every kind, and have a quiet election.

Q. Was it not thought that any collision would be to the detriment of the Democratic party?—A. Yes, sir.

Q. And might be made use of as a reason for throwing out the vote of the city?—A. I think that was the idea; I don't know; couldn't say; but I know that it was thought that it would be detrimental to our cause.

By Mr. LAPHAM:

Q. Was this Italian musician playing at that time?—A. I don't think that they were playing at that time; they had been playing all along through the day; I had noticed them all over the street.

Q. Do you remember whether they were playing during the time you were there?—A. They were not playing when I got there.

Q. They did not fiddle, then, while Rome was burning?—A. No, sir; they did not have a fiddle; it was an organ there or an accordeon.

Q. Can you give the name of any colored person you saw with a pistol?—A. I cannot.

Q. Can you give the name of any white man that you saw with a pistol?—A. I saw Mr. Lea and Mr. Taylor with pistols.

Q. Did they have them drawn?—A. Yes, sir.

Q. Did you see any other white persons with pistols?—A. I saw Mr. Joel Olliver with a pistol. Those were the only white men I saw with pistols.

Q. Did you hear the command to fire given?—A. I did not.

Q. Do you know who fired first?—A. I do not.

Q. Then you do not know very much about the particulars of that fight?—A. No, sir; not a great deal.

GEORGE E. COLEMAN sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville, Va.

Q. What is your occupation?—A. Manufacturer of tobacco.

Q. How long have you resided in Danville?—A. Nearly ten years.

Q. Were you present in the city on the day this riot occurred?—A. Yes, sir; I was in the opera house at the meeting on that day.

Q. What was done in the opera house?—A. They met there to indorse some circular, I think, or take some action in regard to it.

Q. The circular had been issued whose veracity had been impugned?—A. Yes, sir; I was in there, and while the circular was being read I think there was a little confusion in the rear part of the house; some one said there was a street fight; but everything was soon quieted down.

Q. We will go back a moment; who presided over the meeting?—A. Colonel Cabell, I think.

Q. While the circular was being read there was some confusion arose?—A. I think it was during that point. After everything was quieted, the crowd was rushing to the stand to sign the circular.

Q. To sign the resolution?—A. Yes, sir; or indorse it rather. I got up and went out on the street at that time, and as I got on the street I saw that there was a considerable crowd up the street to my right; they seemed to be mostly negroes. I walked up that way to see what was the matter, and just as I was crossing the stepping-stone between Averett & White's shoe-store and Nicholas & Hesberg's bar-room—a little street between these—as I was crossing the stepping-stone, I saw the crowd commence shooting. I could see some hands raised up above the heads of people shooting; about all seemed to me to be shooting up.

Q. They seemed to be shooting up?—A. Yes, sir; all that I saw. Others may have been shooting, and I could not see, but I saw several hands; seemed to be shooting up pretty much like a picket line firing. I suppose some 15 or 20 shots had been fired when the negroes broke and ran. They ran right straight back towards me, and I saw I would be run over, and I stepped to the right a little to avoid being run over so as to get out of the way. Just as I stepped to the right, I saw a negro man standing on the corner of Nicholas & Hesberg's store with a pistol, snapping it. As soon as I could get to him, I rushed on him and ordered him to put it up, which he did immediately, and ran.

Q. He was trying to fire the pistol, and it was snapping?—A. He snapped it twice, I think. I think I heard it the first time. I didn't see it. My attention was drawn to it. He was within 3 feet of me, and I heard something snap, and I looked around and saw he was in the act of snapping it, and he did snap it, but I stopped him before he could snap it the third time.

Q. In what direction was he pointing it?—A. He was pointing right up the pavement—not immediately up, but as near up the pavement as he could. He was trying to protect himself around the point of the house.

Q. He was standing around behind the corner of the house, and trying to fire up the pavement?—A. Yes, sir.

Q. Up towards Woolfolk & Blair's office?—A. Well, I was on the

side street, so that I could not see in front of Woolfolk & Blair's office, for the house was between me and it. I was on the side street.

Q. Were you crossing over the mouth of the North Market there?—A. I do not know the name of the street. It is the street that runs between Nicholas & Hesberg's store and Averett & White's store. I was crossing these stepping-stones and I got about middle way, as I said.

Q. In the plat here that is what we call North Market.—A. I stopped until the negroes broke and run right by me, and then I stepped to the right to get out of their way. Just then I saw this negro snap the pistol, and I rushed up to him and ordered him to put it up, and he did it and run.

Q. Did you know him?—A. No, sir; I did not.

Q. Did you afterwards learn who he was?—A. No, sir; I never saw him before in my life, and never saw him since.

Q. He ran away?—A. Yes, sir; in fact if I were to see him I would not know him.

Q. Where did you go from that point?—A. I kept my eye on this negro as he ran. He was rather shabbily dressed, and he dropped his pistol in his overcoat pocket and held his hand in his pocket. His coat was rather ragged and I don't suppose the pocket would hold the pistol, and he kept his hand on it to keep the pistol from dropping. I kept my eye on him for twenty or thirty steps; didn't know what he was going to do, until my attention was drawn to a negro on the same side of the street and was then coming up this narrow street, right towards me, with his hat in his hand; a very large negro man. He was coming towards me and the others running from me, and I kept my eye on him then, and pretty quick I saw him throw up both hands this way [indicating], and say, "Please don't shoot me; I ain't doing nothing;" and I knew I was not doing anything. I never thought of shooting at him, and in fact at that time he could not see my pistol—could not see that I had one. But just as he threw up his hands and hollered that, there were two or three shots right in my rear and to my right. I heard them but could not see.

Q. Let me understand you. You speak of two or three balls in your rear. Were you facing down this street?—A. I was facing this negro. There is a little sidewalk there, about 18 inches or 2 feet wide, just broad enough for one man to walk on. I was standing right on that. This negro was coming up on that same sidewalk, and I was in front of him.

Q. The volleys were behind you—in your rear? Were they on Main street, or Market, or where?—A. They must have been pretty much middle way of the street between, about half way between these two buildings, Nicholas & Hessberg's and Averett's, about on the stepping-stones where I first stepped on them.

Q. How far were you from the stepping-stone?—A. I was probably 10 feet; just up to the left, on the side of the pavement.

Q. Well, what else; what was the result of that volley?—A. I didn't see any result of it at all.

Q. What became of this negro man who threw up his hands?—A. This negro man—when I heard this volley, I looked up when I saw the smoke, and several white men behind me, and at that moment I heard Captain Graves holler to him to get in the house there, and he got in as quick as he could; and that was the last of the firing. I then requested parties that were around and had their pistols out to put their pistols up, and that was the last of the firing.

Q. Had you discovered Captain Graves before he called out for this

negro man to get into the house?—A. No, sir—yes, sir; I had. Just as this negro man threw up both arms and hollered, "Please don't shoot me," or something of that sort, then just at that time there was two or three bullets shot right in my rear, and I looked around as quick as possible and could see the smoke from several pistols and several pistols in the hands of men, and Captain Graves's reply was then to get in the house, and he got in the house. There was not another shot fired after that.

Q. Did any of these shots hit the colored man?—A. No, sir; if they did I did not know it; he did not show any sign of it. In fact, I had no idea in the world he was hit; I heard the next day that he was shot; could not believe it then that he was.

Q. You say positively that after the man was told to get in the house that nobody shot near you?—A. I don't think there was another shot fired after Captain Graves remarked to him to get into the house; it was all done so quick that I don't know; I could not say positively, but I don't think there was.

Q. The negro man, Charles Adams, swore here that Captain Graves told him to get in the house and that as he was backing into the door Captain Graves then shot him?—A. Captain Graves did not shoot until after I turned round to look at him, and I was then within 3 feet of him, and did not shoot any more; I didn't see him shoot at all, but I think that he did shoot, though, just about the time the negro hollered "Please don't shoot me," because I turned around and saw the smoke, and he was close to me; and several others fired at the same time; but after Captain Graves told the negro to get into the house he didn't shoot any more at all, and I don't think that there was any other shot fired after that; I think this volley of two or three right in my rear were the last shots that were fired at all.

Q. Did you notice how the colored man Charles Adams went into the house; whether backed in or turned and ran in?—A. No, sir; as soon as Captain Graves spoke to him, he walked right in as fast as he could.

Q. Face foremost?—A. Yes, sir.

Q. Didn't back in?—A. No, sir; I did not see him back in at all. I was standing right side of the house, and he just walked in as quick as he could.

Q. Was there more than one volley fired behind you at the time you speak of?—A. Well, that was the very last of the firing. I suppose there had been forty or fifty shots fired.

Q. But I mean right there at the time you have described?—A. No, sir; I think there were about three or four shots probably. I looked around to see where the shooting came from; what it was. I didn't know at the time I ran this negro from the corner; was not watching this Charles Adams; the negroes were all around there, running down Main street and down this cross street.

Q. Well, were there any more shots in the street after that at all that you heard?—A. No, sir; that was the last that I heard.

Q. How long after that until you heard the fire-bell ring, if you remember, or the alarm bell, whatever you call it?—A. I reckon it must have been something like half an hour.

Q. Something like half an hour until the fire-bell rang?—A. Yes, sir; I think so. We gathered up there, and the riot act was read between that time and the ringing of the fire-bell. The sergeant, Wood, and one or two others requested everybody to disperse and go home. That all took place between the time that the firing ceased and the fire-bell rang. I reckon it must have been half an hour before the fire-bell rang.

Q. Did you attend the meeting on the street, when Colonel Cabell addressed the citizens?—A. In the opera house?

Q. No; in the street, at the Arlington, in front of the old post-office.—A. No, sir; I was not there; I had started home.

Q. Did you hear, when the first confusion was created in the opera house, Colonel Cabell or any one else say to be quiet, that it was just an attempt to break up their meeting?—A. Yes, sir; Colonel Cabell made that remark; he requested every one to be quiet. He said it was just a fist fight gotten up to break up the meeting, or something of that kind.

Q. Were you on guard after that?—A. Yes, sir; I was placed on guard that evening. I was on guard that night. I do not recollect exactly what time I went on.

Q. Did you patrol the city?—A. Yes, sir.

Q. Were you mounted?—A. Yes, sir.

Q. What were your duties, and where did you have to go?—A. Well, I was instructed just to ride around over the different parts of the town and watch about to prevent anything like burning, or if there was any demonstration or an attack made of any sort, to report it. I was riding that night, and everything was quiet up until about 11 o'clock, I think it was; there was four of us riding along just beyond the Dry Bridge, between Dry Bridge and Jackson's Branch, and about 100 or 150 yards to Dry Bridge—we were riding along slowly, walking and talking—there was some firing going on then over in Jackson's Branch; they had been firing there all night at intervals, and I was looking down that way, and all at once I heard a pistol shot. I didn't see where it came from, but I heard it. As soon as I heard it we checked up our horses and pulled back in the road, fronting a house there. Someone remarked that a negro lying down on the side of the road shot it, and just as we fronted our horses to the right some one in the crowd, Mr. Graveley, I think it was, hollered out to know who that was shot here. They replied with another bullet.

Q. A second shot?—A. Yes; and as they shot the second time I then opened fire on them.

Q. Could you see the parties who did the shooting?—A. No, sir; I could not see them only through the blaze of our pistols and guns. One of them was shooting shotguns, three or four of them pistols. They were behind the corners of two houses; there was a kitchen in the yard, and they were behind; all I could see were behind those two corners.

Q. Who occupied those houses?—A. I have heard, but I have forgotten; some negroes.

Q. Were they negroes or white people?—A. They were negroes. We exchanged some four or five shots there, and the negroes ran.

Q. Did a man named Cooper Price live there?—A. I have heard that was his name. I have seen the negro, and in fact I have had a talk with him about it; but I don't know the negroes, only some of them.

Q. You said you heard firing in the direction of Jackson's Branch all night pretty much?—A. Yes, sir; pretty much.

Q. Who were the occupants of that locality, Jackson's Branch; colored people?—A. Altogether pretty much; yes, sir.

Q. That is outside of the corporate limits, isn't it?—A. Yes, sir.

Q. Well, was anybody hit that night when that firing took place?—A. Yes, sir; Mr. Hubbard, who sits here at my right. He was right by my side when we got into this fight at Dry Bridge; he was shot.

Q. Was the horse he was riding hit also?—A. Yes; I think there was some four or five shots in him, and I think probably eight or ten in the horse.

Q. Shot?—A. Buckshot—yes, sir.

Q. How many shots were fired at you; more than two?—A. Oh, yes; there was two fired before we opened fire. After we opened fire, they returned some seven or eight fires before they ran.

Q. Do you know anything about the habit of the colored people of Danville with reference to carrying arms?—A. No, sir; I do not. I have *heard* a great deal, but I do not *know*.

Mr. LAPHAM. No, no.

By Mr. VANCE:

Q. You do not know anything of it of your own knowledge?—A. No, sir; not of my own knowledge.

Q. In your tobacco business do you employ colored labor?—A. We do at the manufactory. The maunfactory is 16 miles from Danville, at Chatham, but I live in Danville. Sometimes we employ a few in Danville, but not many. We pack it there and ship it to the factory.

By Mr. LAPHAM:

Q. At what time did you go to the opera house?—A. I went there about 2 o'clock.

Q. Did you go there armed?—A. Yes, sir.

Q. What weapon did you have?—A. I had a Smith & Wesson five-shooter.

Q. Where did you get it?—A. I bought it at Mr. Schoolfield's.

Q. When?—A. About two months previous to that, I think.

Q. Was that the first you had ever owned a Smith & Wesson?—A. The first *Smith & Wesson* I ever owned.

Q. Did you buy ammunition with it?—A. Yes, sir.

Q. A box of cartridges?—A. Yes, sir.

Q. How many people were at the opera house?—A. Really, I can't say; it was full.

Q. About how many would it hold?—A. I reckon there were 500 or 600 there.

Q. Can you state how generally they were armed?—A. I cannot, sir.

Q. Don't you know that many of them were armed?—A. I don't know of any one but myself.

Q. There were no colored people admitted there, were there?—A. I don't know; I don't think there was any there.

Q. Don't you know that there were orders not to admit them?—A. I do not know.

Q. You do not know that fact?—A. No, sir.

Q. Had any one left the opera house before you left?—A. Yes, sir; I think some four or five, probably, had gone out ahead of me.

Q. Can you name them?—A. Well, I don't know that I can.

Q. Do you know whether they were armed?—A. I do not.

Q. Who offered the resolution in the opera house meeting, do you remember? There was a resolution adopted there, was there not?—A. Yes, sir; I think there was.

Q. Indorsing the truth of the statements contained in the circular headed "Coalition Rule in Danville"?—A. Well, I think there was a request for all that would indorse it to come up and sign it.

Q. Well, there was a resolution offered, was there not, that they signed?—A. Really, sir, I have forgotten.

Q. Did you sign or did you leave without?—A. I did not sign.

Q. You did not wait to sign?—A. No, sir.

Q. You do not know how generally it was signed?—A. I do not.

Q. Was not there a vote taken?—A. I believe there was a vote put in some way, but I have forgotten.

Q. That was carried, was it not?—A. I think so.

Q. Unanimously?—A. I reckon it was; I didn't hear any dissenting voice.

Q. You did not hear any opposition?—A. No, sir.

Q. Where did you have your revolver?—A. I had it in my pocket.

Q. Did you take it out?—A. Where?

Q. Anywhere?—A. Yes, sir.

Q. Where?—A. I took it out when I ordered this negro to leave this corner.

Q. You drew your revolver on him then?—A. Yes, sir.

Q. Did you fire?—A. No, sir.

Q. Did not you fire your pistol at all?—A. Not there.

Q. Well, that day?—A. No, sir; I did not shoot it until that night about 11 o'clock, at Dry Bridge.

Q. That you described?—A. Yes, sir.

Q. When you fired on these people, did you fire with revolvers?—

A. Did they fire with revolvers, did you say?

Q. In the night, when you were fired on, you say you returned the fire; did you fire with revolvers?—A. I fired a revolver, nothing else.

Q. How was it with your associates?—A. I think all had Smith & Wessons, though I cannot say for the others, only Hubbard; Hubbard asked me to load his.

Q. Now, we will go back to the street. Did you carry your pistol in your hand there?—A. No, sir; after I run the negro away from there, I put it away in my pocket.

Q. You speak of the negro who was trying to snap his pistol?—A. Yes, sir.

Q. Now, these shots that were fired as Adams held up his hands and said "Don't shoot at me, I am doing nothing," were fired in the direction toward him, were they not?—A. I could not tell; it was in my rear.

Q. Did it not seem so to you?—A. Well, as I looked around it seemed to me that the pistols were pointing rather up in the air; sort of between.

Q. Very likely it seemed so, but the muzzles were toward him, were they not?—A. No, sir; they were 10 feet to the right of him.

Q. Well, they were down that street?—A. Rather to the right; it seemed right over the houses.

Q. They had fired before you saw them?—A. Yes, sir; they had fired.

Q. But they were facing down that street where this man stood with his hands raised?—A. Well, one or two probably was.

Q. Captain Graves was, was he not?—A. Captain Graves was nearest to me. When I saw him he had his pistol down so and spoke to the negro just as I turned; said "Get in the house there."

Q. Can you give his language?—A. Captain Graves's language?

Q. Yes.—A. Yes, I think so. He just remarked, "If you are doing nothing, get in there; get in there, quick," and motioned with his hands at the same time to get in the door.

Q. He did not use any profanity?—A. No, sir.

Q. Who were the other two—you say there were three shots fired?—A. Well, there were three or four.

Q. Who were the others?—A. I don't know who they were.

Q. You have no doubt Captain Graves fired his pistol there, have you?—A. I could not say positively that he did, but I was under the impression that he did, and I was under the impression that the other three did; there were three or four.

Q. There were four in all, then?—A. I could not say whether it was four or six.

Q. Can you give the name of either of the others?—A. No, sir; I cannot.

Q. You say you did not know that Adams was hit in the arm until the next day?—A. No, sir. I heard it, and did not much believe it then.

Q. Probably he did not know himself whether he was shot or not?—A. He was not shot at that time.

Q. How do you know; you don't know?—A. If he was shot then he made no fuss about it.

Q. That is a very different thing; it was not a wound he would make any fuss about.—A. I didn't think he was hit.

Q. Perhaps you did not; but you did not know whether he was hit or not?—A. No, sir; I could not say positively.

Q. That answers the question. Now, you were not near enough to hear the order to fire?—A. No, sir.

Q. You do not know who gave it?—A. I do not know that any such order was given.

Q. You do not know who fired first?—A. I do not.

Q. Did not the colored people run as soon as the firing commenced?—A. They stood, I suppose, until there were twenty shots fired, probably, or twenty-five, before they broke.

Q. There were twenty shots fired simultaneously, were there not?—A. From the beginning, no; it was like a skirmish line—picket line.

Q. There was a volley fired?—A. Yes, sir.

Q. And they at once run in every direction?—A. They stood a little while, sir.

Q. Were there not shots fired at them as they ran?—A. I didn't see them, except these last shots that were fired; the negroes were running; though I didn't see them; heard them.

Q. I didn't know but you were going to except that. You did know, then, of four shots fired after the negroes were running—fired by white people?—A. I heard the shots; the negroes were running at that time.

Q. And the firing was by white folks?—A. I think it was.

Q. And Democrats?—A. I don't know as to Democrats, only Captain Graves; he is a Democrat.

Q. You did not see anybody hit, did you?—A. I did not.

Q. You did not know at that time that there was anybody killed?—A. I did not.

Q. Then you would not be very likely to know whether Adams was hit in the arm?—A. I was watching him.

Q. How far was he from you?—A. From me?

Q. Yes.—A. He was probably not over 20 or 30 yards; not quite so far as that, I think.

Q. Well, how far?—A. I don't suppose that it was over 30 or 40 feet from where I was to where he was when he threw up his hands.

Q. Did you not know that that was Mr. Adams?—A. I didn't know his name; I just knew him as a driver.

Q. Was not he the man who drove the beer wagon?—A. Yes, sir.

Q. Very well, you knew him as the driver of that beer wagon?—A. Yes, sir; and I was watching him; thought he was trying to get in that house, and I kept my eye on him.

By Mr. VANCE:

Q. Did I understand you in your statement before to say that that negro man, Charles Adams, did not back into that door?

Mr. LAPHAM. You asked that, and I did not cross-examine.

Mr. VANCE. Well, I just wanted to understand if that was so.

A. I think as soon as Captain Graves told him to go in there, he got in pretty quick. I cannot say whether he went in backward or forward. I know he got in as quick as he could.

CHARLES H. CONRAD sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you resided there?—A. I have resided there thirteen years.

Q. What business do you follow?—A. Tobacconist.

Q. Were you in the city and present on the day of the riot?—A. I was.

Q. Will you please state if you were with Captain Graves at any time that day?—A. Yes, sir; I was on the corner, at Nicholas & Hessberg's bar-room, and Captain Graves was on that corner.

Q. Were you present at the time that Mr. Coleman spoke of?—A. Yes, sir; at least I was there when Captain Graves had his pistol drawn on Charles Adams; I was looking over his right shoulder at the time.

Q. Mr. Coleman said his face was toward Adams, and there was some firing right immediately in his rear; he didn't see the firing, but it was in his rear; did you see that?—A. I did not. I heard it, though. It was on my immediate right on the opposite corner, at the shoe store. Nicholas & Hessberg's is on one corner—

Q. Yes; we understand that.—A. And the shoe store is on the other corner, this way [indicating]. Here is Nicholas & Hessberg's corner, and just on the opposite corner, across the alley-way, is the shoe store.

Q. Did Captain Graves fire that shot?—A. No, sir.

Q. He did not?—A. I know he did not.

Q. You know he did not fire it?—A. Yes, sir.

Q. Did you hear him call to Adams to get into the house?—A. He did, and I did myself also.

Q. Both of you called to him to get into the house?—A. Yes, sir. I looked over his pistol, over his right arm and had my eye on his pistol barrel, and I know positively he did not fire the shot.

Q. He did not fire the shot?—A. No, sir.

Q. What did Charles Adams do when he was told to get into the house?—A. Well, he held up this arm in that position [throwing his left arm over his face]. That is the way he went in the door. Now, that is the door [indicating], like Mr. Sherman was Captain Graves. I was in his rear, looking over his right shoulder down his pistol barrel, and that is the side door, and he went in sideways, this way, with his left arm up that way and said at the time, "For God sake, don't shoot me."

Q. His arm was up this way, toward the pistol?—A. His left arm covered his forehead just about that way.

Q. Was that the time he was shot?—A. I could not say.

Q. Did you see that he was shot at all; did he make any evidence of being shot?—A. I saw no reason in the world to think he was shot at that time. I know the negro well.

Q. Did he make any exclamation?—A. None whatever. If he was shot at all at that time he was shot from my right, on the shoe-store corner.

Q. And you say Mr. Graves didn't shoot him?—A. I know positively he didn't shoot him.

Q. Now, you say he went into the door sideways, with his face still up towards you and Captain Graves?—A. With his face still toward us; didn't change his position at all. He went in the door sideways, facing us all the time; didn't turn at all.

Q. Now, his left arm was up?—A. Yes, sir.

Q. And his right arm was down by his side?—A. I think his right arm was in a hanging position, this way—was not up; but his left arm was shielding his face, as I before stated.

Q. Did Captain Graves shoot at all on that occasion?—A. If he did I didn't see him.

Q. I mean on that immediate occasion?—A. He did not.

Q. Was that all? Did you see anything of the riot otherwise?—A. Yes, sir; I saw some parts of it.

Q. Were you present when the firing began up the street?—A. I was within ten paces of where the firing began down the street. I was in front of the hardware store; then intervenes a barber-shop, and then the insurance office of Ruffin, Woolfolk & Blair, where it commenced. I was in front of the hardware store.

Q. Vass & Co.?—A. Yes, sir; Vass & Co. That is right next door to the bar-room of Nicholas & Hessberg.

Q. Yes; I understand. What did you see?—A. Well, sir, I was going up the street toward the crowd of people, and when I got in front of the hardware store the firing began. I don't know who fired the first shot. At that time I think there were about twenty-five white men, and about one hundred and twenty-five to one hundred and fifty negroes when the firing began. That is my judgment of the numbers that were present; but the firing was over in ten seconds. I do not think it lasted more than ten seconds.

Q. That is the most reasonable account any witness has given yet. Some of them described it as a minute and a half.—A. Well, sir, about ten seconds, I should judge, was about all the time that was consumed in firing.

Q. The colored people broke and run soon after the first firing?—A. Yes, sir; for a moment they wavered, and I suppose perhaps four or five seconds, and then they bolted. They wavered first, fell back a foot or two, and then bolted.

Q. Could you tell who was doing the firing?—A. I was in the midst of it, and I didn't see a shot fired by a white man or negro.

Q. You did not see the single shot fired?—A. I didn't see the first single shot fired, although they were firing all around me. It was a personal matter with me. I was thinking of myself, the danger I was in; I was looking at the group as a whole instead of singling out anybody, and I was perfectly unconscious for the moment as to who was doing the firing, and I didn't see the first man, white or black, fire a shot, although I was where it was being done all around me.

Q. Were you collected enough to be able to say whether any firing came from the side of the colored people?—A. I know it. I say I know it, I should imagine it did, for two balls went in the stores very near where I was standing, one went into the barber shop, and one in Ruffin, Woolfolk & Blair's.

Q. Could not they have come from the whites where they were standing on the sidewalk?—A. Scarcely possible, I think.

Q. They must have come from the street?—A. Yes, sir; must have come from the street.

Q. Well, when the colored people began to run, did you notice whether the whites pursued them or stood their ground?—A. Well, sir, I don't think they pursued in more than one or two instances, and then for a few paces.

Q. Just for a few paces?—A. Yes, sir. Now, I was along in front of the hardware store, and I just walked leisurely right along down Main street, for I was going in that direction, when the first shot was fired—at least I was standing still, I think, when the first shot was fired; but that was my object, to go down the street and turn through this alley and go to my factory.

Q. Were you close enough to judge of the necessity that the white people were under to fire at all?—A. Yes, sir; I think the white people were justified in firing.

Q. You think they were so outnumbered and pressed upon that it appeared to be at least necessary for them to fire?—A. Yes, sir.

Q. Granting that that was so, did you think they fired any after the necessity had passed away?—A. Certainly not; for I don't think more than ten seconds were consumed in the firing, and there was no disposition whatever that I saw to follow the negroes up and fire into them.

Q. No disposition to exert any cruelty or unnecessary firing?—A. None at all. I will state just at this point, if you will allow me, that my attention was first called to Charles Adams, in the front door of Nicholas & Hesberg's; Captain Graves and I were side by side; Adams was standing in the large front door, and there was a crowd behind him—he was a tremendous powerful negro—and he was wheeling his arms back this way [indicating], trying his best to get in the door, and there was a crowd inside trying to push him out. That was the first time I saw Charles Adams. Captain Graves had his pistol in his hand, and he and I both said, "Charles, get back in there." He could have killed him dead there then if he had had any disposition to do it. Then, as I said, I just walked along a step or two and was at the corner. Then I saw Charles Adams come out the side door entrance, and there is where he alleges Captain Graves shot him.

Q. Was it at the front door you first saw him?—A. He was at the front door wheeling his arms with all his might, trying to get in, and the crowd was pushing him out.

Q. And the next time he came voluntarily out of the side door in the alley?—A. Yes, sir.

Q. How far were you and Captain Graves from him when he was at the front door?—A. Two feet.

Q. Do you know a colored man named Jack Redd?—A. I do not.

Q. Were you with Captain Graves all the time?—A. I was.

Q. Did you see firing at a man named Jack Redd?—I did not.

Q. Over toward the other corner?—A. I did not see a white or black man fire a shot.

Q. Except the general firing that you described?—A. I knew the general firing was going on all around me.

Q. Were you a member of any political organization?—A. Yes, sir; I was a member of the Democratic club.

Q. Which one?—A. The Second ward.

Q. Did you hold any position in it?—A. Yes, sir; I was chairman of the executive committee.

Q. Do you know whether the club took any action or gave any advice with reference to avoiding violence?—A. Uniformly their advice was to forbear under all circumstances, if possible; to forbear and not come in conflict with the colored race, for the reason that we had the

county of Pittsylvania, with three representatives and a senator from that county dead sure of election, and moderation and forbearance were counseled at every meeting I attended.

Q. Did you or did you not deem it detrimental to the cause for any violence to be offered?—A. Why, certainly, sir; I deemed it detrimental to the Democratic cause. I counseled against violence myself, and all other members of the club did on all occasions, uniformly.

Q. Did you have any apprehension with reference to the vote being thrown out if any pretext of violence was given?—A. Yes, sir; I had thought of that.

Q. The returning board machinery, the party that had the counting of the votes, were all, I suppose, in the hands of your political adversaries?—A. Yes, sir.

Q. There has been a good deal said here about some resolution of that club, or some other one, about withdrawing patronage from certain men who were obnoxious to the Democratic party. Can you give us any information about that?—A. I never attended a political meeting where that was advocated at all.

Q. Was there any such resolution passed by your club—the second ward club?—A. No, sir; not while I was in attendance; and, if at all, I can't recall it now.

Q. Do you have any official knowledge of such a resolution having been passed?—A. I have not. It was certainly not done during my presence at the club, though I was absent at times.

Q. Aside from this high political excitement, what was the general feeling between blacks and whites there?—A. Well, sir, it is very friendly. I have hands working for me in my factory whom I esteem very highly, and they think very well of me, to judge by their expressions, and the day before that riot occurred, in talking with my hands and asking them to use moderation, &c., I had them all collected together and remember one of them remarking, "Mr. Conrad, if you were out in that street and imposed upon by white or black, I would go out there and fight for you like a dog." There has always been the most friendly feeling between me and my hands.

Q. Were those your own hands in your own factory, or are you connected with some other large manufactories?—A. No, sir; there in my own factory.

Q. Are you not a son-in-law of Mr. John Holland?—A. Yes, sir.

Q. How many hands does he work?—A. He works about 200.

Q. What has been the state of feeling between him and his hands?—A. The most kindly nature.

Q. A portion of the year your tobacco hands are out of employment, are they not?—A. Yes, sir.

Q. State how they get along, if their employers help them during the idle season, and so on?—A. Yes, sir; we had on our list, I think, when we commenced work, that is when the Messrs. Holland commenced work, a couple of weeks ago, perhaps a \$1,000 paid out to the hands during the winter.

Q. During the season when they were not at work in the factory?—A. Yes, sir; and without that they could not have subsisted, and that is uniformly the case every winter.

Q. Do you know anything, in fact, whatsoever that would give the committee any light on the question as to whether or not this riot was premeditated or was procured to be brought about?—A. Well, sir, I was in a position, it seems to me, if any man in Danville was, to know

whether there was any premeditation, and I am as positive as I live there was no premeditation whatever. That is my individual opinion.

Q. Was it unexpected to you all on that day?—A. It certainly was to me.

Q. Had you been in the opera house attending the meetings?—A. I was not surprised at the thing happening, because there was such a high state of excitement; but I was not prepared for it at any time; any particular moment, I mean.

Q. Such was the state of excitement that it didn't surprise you to hear there had been a collision?—A. No, sir; and I had heard it spoken on both sides, both colored and white, that there was likely to be a collision if things continued in that high state of tension; the existing condition of things.

By the CHAIRMAN:

Q. You say there was a state of great excitement there?—A. Yes, sir.

Q. Did you not share in that excitement?—A. Unconsciously, I suppose I did.

Q. I will ask you if you didn't parade the streets of Danville on the 3rd of November last, both the day and evening, armed with pistols and a double-barrel shotgun?—A. Yes, sir.

Q. How many pistols had you; how were you armed?—A. Well, I have a small armory of my own; I am a sporting man; I have a double-barrel shotgun and a dog.

Q. I am speaking now when you were parading Danville. There was no game there to shoot, I suppose. What arms had you on that day?—

A. I had two pistols on my person and a double-barrel shotgun.

Q. When did you get those weapons?—A. After the riot.

Q. After it commenced, or when it commenced?—A. I had one pistol on my person when the riot was in progress. After the riot was all over I armed myself with an additional pistol and a shotgun.

Q. Were you at the opera house meeting?—A. I was.

Q. You came down from the opera house meeting when the firing commenced; did I understand you to be on the street when the firing commenced?—A. I came out of the opera house, going toward the crowd, and when I got in front of the hardware store the firing commenced.

Q. I will ask you further as to the state of excitement; whether you were not present in August last, and boarded a train at night to lynch some prisoners?—A. I was not in Virginia; I was in New York City.

Q. When did that affair occur—the lynching of the prisoners; do you remember?

Mr. VANCE. They didn't lynch them; they tried to.

By the CHAIRMAN:

Q. Tried to?—A. No, sir; I was in New York at that time.

Q. I will ask you if you were a member of the citizens' conference or vigilance committee of Danville?—A. I was, to the extent of protecting the property at night, under the command of Sheriff Wood.

Q. Was that before or after the riot?—A. After the riot.

Q. Was there a vigilance committee organized before the riot?—A. No, sir; not except the Democratic clubs.

Q. You had your Democratic clubs, and you were chairman of the executive committee of the second ward?—A. Yes, sir.

Q. I will ask you whether you did not, and whether the citizens did

not, advocate the shot-gun policy, as it was called?—A. Emphatically, no, sir; but quite the contrary.

Q. You say you didn't participate, and didn't know of the passage of any resolutions refusing to patronize the Coalitionists in the second ward. Do you know the fact that such resolutions had been passed in the other wards?—A. I heard that they had passed in the third ward. There were none passed in any meeting that I ever attended.

Q. You say you had a pistol on the 3d of November, and were present at the first firing. Did you yourself fire?—A. I decline to answer.

Q. You decline to answer?—A. Yes, sir.

Q. Were you with the company of white people there on the walk?—A. I was not.

Q. You were in the street, however?—A. No, sir; I was on the sidewalk in front of the hardware store. There were no people around me where I was standing.

Q. Did you have your pistol out?—A. No, sir.

Q. Were you with Captain Graves at that time?—A. I was.

Q. Were you with him all the time?—A. I suppose it is ten paces from there to the corner, and during all this melee and firing we walked those ten paces to the corner. I was with him during the whole time. I was with him when we saw Adams; he and I both commanded Charles Adams to get in.

Q. Did Colonel Graves fire?—A. He did not.

Q. While he was with you; don't you know that he fired on that day?—A. I don't know that a single white man fired.

Q. You don't know that a single white man fired?—A. No, sir.

Q. Then you simply say you don't know whether he fired or not. Don't you know that Lea fired?—A. I don't know; he didn't fire at Charles Adams.

Q. Why do you decline answering if you don't know that any white man fired?—A. I say I don't know the fact; I say I didn't see any, and I am not going to tell a lie.

Q. You heard the firing?—A. Yes, sir.

Q. How could you distinguish between the firing of Captain Graves and anybody else?—A. He didn't fire, of my own personal knowledge.

Q. And still you heard firing all around?—A. I heard firing all around.

Q. Then you can't say he did not fire?—A. No, sir.

Q. You only say now you did not see him?—A. I only say, of my own personal knowledge, I do not know that he fired.

Q. How do you know that he did not fire at Charles Adams?—A. As I explained a while ago, we first met Charles Adams in the front door of Nicholas & Hessberg's, and he was using all his strength of his arms in getting in the door. Captain Graves and I were then within two feet of him, and both of us cried to him, "Charles Adams, get in the door."

Q. That was what he was trying to do, was it not?—A. Yes, sir. I would not have shot him for my life.

Q. When did you see him next?—A. I saw him next from the corner; we were on the corner; he had popped out of the side door.

Q. The building was a corner store, was it?—A. Yes, sir.

Q. Well?—A. When he started out he turned about to run.

Q. Toward his horses?—A. There were no horses in the alley at all. He run three or four paces, and turned around and held his hand up that way, and walked to the door and held his hand up that way, in just that

position [holding his arm across his forehead], and said, "For God's sake, don't shoot me."

Q. You say Captain Graves did not fire then?—A. I know he did not fire. I was looking right in his pistol-barrel.

Q. Well, Charles Adams was shot there, was he not?—A. I don't think he was.

Q. Don't you think he would know better about that, and don't you think the wound itself would be pretty good evidence of that?—A. He was shot, but I don't think he could possibly have been shot then.

By Mr. VANCE:

Q. Shot at the time he says?—A. That is what I mean; that particular time.

By the CHAIRMAN:

Q. You did not see how that was done; but did not Adams at once go in and was not he immediately taken care of by a doctor?—A. Yes, sir; I presume so; but if he was shot at all that time he was shot from the shoe-store corner, and not from where we were.

Q. You don't deny that he was shot, but only he was not shot by Captain Graves?—A. I know positively he was not, because I was looking right over the shoulder of Captain Graves, and counseled him to get in the door.

Q. You spoke a moment ago about there being no premeditation. Now, you did not see that Noel had gone with his two armed companions to attack Hense Lawson?—A. No, sir.

Q. Therefore there was no premeditation. But don't you know there was a state of feeling in Danville—a determination that the negroes should not rule Danville?—A. If you will allow me to tell the honest truth, I will tell you the feeling was not against the negroes, it was against these few low-down white men there.

Q. Why were they not shot, in that case?—A. It was just because they always got these poor deluded people into trouble and then desert them. I have the kindest feeling for the colored men; my father before me owned slaves, and I have nothing in the world but the kindest feeling for them.

Q. Let me ask you a little further; are there not more black men above the age of 21 entitled to vote in Danville than white men?—A. I think so; I don't remember.

Q. Do you know any considerable number of those who would vote the Democratic ticket if left free and unbiased to make his own selection?—A. I have three working under me right in my own factory whom you could not hire to vote the Republican ticket.

Q. But don't you know the actual fact that has been testified to by others that the colored people will vote the Republican ticket if undisturbed?—A. If these low down white men would stay away from there, a few of them would.

Q. That is, if they had liberty of speech?—A. No, sir; if they had their choice.

Q. Suppose there was free and open discussion and every white man and black man in Danville could talk upon the subject and give his reasons why the colored people should vote the Republican ticket, don't you suppose the colored people would vote the Republican ticket?—A. I answer you from the bottom of my heart, I don't believe it.

Q. On what ground do you suppose they would vote the Democratic ticket?—A. Well, sir; from their love for me. Now, I have got negroes in my factory who would sacrifice their lives in defense of mine.

Q. It is because they love you, not the Democratic party?—A. Well, I am an office-holder, you may say.

Q. You are chairman of the committee?—A. No, sir; I am a member of the town council.

Q. Then, it is not negro rule; it is the white man's rule who is willing to vote with the negro?—A. It is the low-down scum; the white scum of the earth, that comes down there and poisons these negroes against me, and all that is my interest, and all that is his interest, because I assume that his interest and mine are identical.

Q. Do you tell me that the white scum of Virginia vote the Republican ticket?—A. I do not say the white scum of Virginia; I say the white scum that comes from the North.

Q. Well, take the white scum from the North or South, do you say they vote the Republican ticket in Virginia?—A. Yes; I say so.

Q. And they do not vote the Democratic ticket?—A. Yes, some vote the Democratic ticket.

Q. Don't you know that the larger part of the white men of the character you spoke of, if you have any such in Virginia, vote the Democratic ticket?—A. I know they vote the Republican ticket.

Q. They do?—A. I know it.

Q. How many white people are there in Danville who vote the Republican ticket?—A. Well, it is just these low-down scum; the office-holders there.

Q. Then every white man who votes the Republican ticket in Danville must be white scum?—A. Well, the majority.

Q. Then you think a white man who just votes the Republican ticket must be white scum?—A. No, no, sir; I know some Republicans who are as good as anybody; but I am speaking of the majority of them.

Q. One or two; you know that many, then? I ask you as an intelligent man if there is that prejudice of race that will deny to the majority of the people of Danville the right to rule? Suppose the colored people now say, "We are in the majority here: we will elect the town council"; do you not suppose there is a determination there to prevent that?—A. There is this kind of determination: that if we could by fair, honest means control the negro vote, teach him that it is to his interest to vote with me, because I am working with him and I am paying his wages—if by fair means we can control his vote—we do; but I don't know a single instance in Danville where force is used to carry the negro vote. Upon my honor, I know of not a single instance where there is any force whatever used to carry a negro vote.

Q. Do not you know that if the negroes were left to vote as they please they would vote with the Republicans?—A. I doubt it exceedingly.

Q. Don't you know there in your own town they would?—A. I see masses of them do, but a good many of them would come out with the Democrats.

Q. How many now?—A. Well, I have got three in my employ.

Q. How many do you employ?—A. In my immediate leaf factory there we employ about twenty.

Q. And three, you think, would vote with you; they vote for you for personal attachment?—A. No, sir; my father-in-law works two or three hundred; twenty-five of them will go to the polls and vote the Democratic ticket and gladly.

Q. Don't you know there are five hundred more colored people in Danville than white people; I mean in the county?—A. No, sir; the county is Democratic.

Q. I say in Danville; some one has said five hundred, I think.—A. I reckon they have 200 registered majority against us in Danville. I mean a fair registered majority.

Q. Of colored people?—A. Yes, sir.

Q. And how many of the white-scum people that you speak of vote with these negroes?—A. Most all the office-holders.

Q. How many office-holders have you in your city government? You have twelve or fifteen; and I understand that two-thirds or more of them are white men?—A. In our city government?

Q. Yes.—A. In our city council, you mean?

Q. Yes.—A. Yes, there are eleven of them white men.

Q. Are they scum?—A. No, sir; they are true Democratic gentlemen.

Q. How is it that those true Democratic gentlemen are elected by those negroes?—A. They were not elected by the negroes.

Q. Why were they not elected by the negroes?—A. Well, the negroes you know, in the coalition rule there, the negroes and coalition council, after the riot the coalition members, some of them resigned, and of course they put in Democratic citizens and property-holders in the town council, and that makes the town council Democratic, and in the hands of the proper authorities, that is, the property holders of the town.

Q. Do you believe that by any election that could be held at Danville the colored people could safely assert their right to elect a majority of the city council? Let us be frank with each other. Do you believe that in an open fair election in Danville, or in any election that could be held in Danville, the colored people would be allowed to elect a majority of the council of Danville?—A. They would, if they voted with me.

Q. That is right. If they voted with you, they would. But if they would not vote with you, they would not?—A. Well, it is a very plain fact and you will never see it as long as you live nor I live either, that a set of men who are owning property and trying to build up a town and husbanding all their resources, trying to accumulate wealth, &c., that will ever allow the negroes to come in and control that town. Now you can just set it down as a sure fact.

Q. Then it is the deliberate purpose and intention of the property-holders of Danville and that neighborhood to prevent the majority to have their natural control?—A. I say, emphatically, only by fair means. I never used a bit of force in my life to try to get a colored man to vote the Democratic ticket.

Q. That is not it. But you have already told us that the majority there who own the property will not allow the government to pass into the negroes' hands.—A. Emphatically I say so.

Q. Or especially into the hands of those poor white scum that will vote the Republican ticket?—A. We despise those worse than the negroes. I have always had the kindest feelings toward the negroes.

Q. But despise those?—A. I despise those worse than the devil.

Q. Then, your plan would be to have no man vote in Danville except he had property and had good clothes?—A. No, sir; an humble mechanic I have the highest admiration for, and I would like to take him by the hand and put him in office; that is the kind of a man I would put in office.

Q. He must be an humble mechanic?—A. No, sir; an honest man.

Q. But if he is not just the stripe you would not see him advanced?—A. No, sir; if he was a rogue or scoundrel I would kick him down.

Q. And if he had not much property?—A. No, sir; if he had his

humble home I would think all the more of him—just as much as if he had a million dollars.

Q. How many negroes did you count as voting the Democratic ticket?—A. I didn't count a dinged one.

Q. And yet you say you had a registered majority?—A. Yes, sir; in the county; I am not talking about the town of Danville; I mean the town and county included.

Q. And yet you "didn't count a dinged" negro among them; didn't the negroes register?—A. Certainly they registered; they registered all the negroes in North Carolina.

Q. With all the white scum and all the negroes of North Carolina and yet you had a registered majority. How could that be?—A. In the town and county together.

Q. How could that be? Was not there a natural majority there of colored people?—A. There was in the city.

Q. But not in the county?—A. Take the city and county together and we had a registered majority, and Mr. Sims had never any more show of election—

Q. How was it in Danville?—A. He had a registered majority against us.

Q. But you think you had a registered majority in the whole county?—A. Yes, sir; I know it.

Q. I ask you why you decline to answer the question I put to you in reference to your firing?—A. Because it is my privilege.

Q. You claim the constitutional right. Is it on the ground it would tend to criminate you?—A. It is just on the ground that I will not answer the question as to whether I fired.

Q. Well, you have the legal right to refuse to answer on the ground it might tend to criminate you?—A. I was present during this melee, and I state that I will not say whether I fired or not.

Q. Well, I do not press it. There is only one ground upon which you can claim that privilege by the constitution.

By Mr. VANCE:

Q. Senator Sherman has asked a great deal about negro rule and the feeling toward the negro there. I ask you if there is any disposition on the part of the Democratic party as a whole to use any false or fraudulent means to prevent the colored people from voting as they please?—A. Well, I have been voting 13 years and I have yet to see the first single instance where a negro was ever cheated out of his vote in Danville.

Q. Or prevented by violence from voting?—A. Or in any way whatever; the first single instance in 13 years I have got to see it yet. It has always been done by a mode of reasoning with the negro. Tell him that our interests are identical with his, put the argument to him in this way: tell him "Whoever approaches you to get your vote, is it not that revenue officer up yonder, is it not that postmaster, whoever come to you but these men? You are just perpetuating these men in office. Now what good does your vote do you." That is the line of argument. Never since I have been in Danville have I seen a colored man fraudulently cheated out of his vote.

Q. I ask you if the objection to their rule is not on account of the general objection to ignorance and vice ruling the town and not so much to the negro himself?—A. There is no ill feeling toward the negro. It is his utter incompetency.

Q. If they were a lot of ignorant and propertyless white men, with no

more social and mental elevation than the blacks, would not you object to that sort of rule just as much as you do to the negro?—A. Empatically I would say, yes.

Q. You do not want the property and the interests of your town to be committed to the hands of ignorant men and vicious men?—A. That I stated in the outset was the reason we would not allow them to rule the town, and we would use all plausible means in our power to prevent them from voting, or to vote the Democratic ticket, but never by force, and I have never seen one single instance yet, and it is the most natural state of affairs in the world, and it always will exist, in my opinion.

By the CHAIRMAN:

Q. Were you armed on the day of election?—A. No, sir; I don't think I was.

Q. You voted that day, did you?—A. Yes, sir.

By Mr. VANCE:

Q. I wanted to ask you in reference to the question of freedom, whether if permitted to do as they pleased without interference, the colored people would not all vote the Republican ticket naturally? I ask you if there is not such a state of feeling among themselves against any man who votes the Democratic ticket as amounts to social ostracism?—A. As a general thing it does amount to social ostracism, though I have hands working for me that vote the Democratic ticket, one especially, and when these negroes cussed him I have known him to knock them down and cuss them out; told them they would vote as they pleased.

Q. It generally results in some collision?—A. Yes, sir. Now we have several colored men in town who vote the Democratic ticket, and the negroes are afraid of them now—these Republican negroes—they have cussed them out until they are afraid of them.

Q. It takes a colored man of some nerve to vote the Democratic ticket, does it not?—A. Yes, sir; I have got a man who weighs 225 pounds and a very stout, robust man. He generally cleans them up whenever they come around him for voting the Democratic ticket.

Q. Now, do you suppose if it was not for the fact of those few voting the Democratic ticket being backed and protected by the white people that even they would have the courage to do it?—A. Oh, certainly not.

WALTER HOLLAND sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Danville.

Q. How long have you lived there?—A. I have lived there nearly all my life.

Q. What occupation do you follow?—A. I am in the leaf-tobacco business.

Q. Were you present on the occasion of the riot? I believe you were wounded there, were you not?—A. Yes, sir; I was there part of the time.

Q. State what you saw before you were wounded; I suppose you became unconscious then, did you?—A. Yes, sir; to an extent; I was in the opera house and I saw three of my friends leave the gallery and go down, and after a while I heard there was a fight on the street; I got up and went out; I found three of my friends standing on the street surrounded by a good many negroes, and I tried to get to them; the crowd was very thick and I had to go around through the outskirts of

the negroes, around the crowd of them, to get to the white men, and about the time I got there the firing commenced.

Q. The first fight, I understand, was all over before you got up there?—A. Yes, sir; I saw nothing of that.

Q. And you went around through the outskirts of the negro crowd to get to your friends on the sidewalk?—A. Yes, sir.

Q. And about the time you got where the firing commenced — A. When I got within ten steps of them, I suppose, the firing commenced; several other persons came up with me.

Q. Were you on the pavement or on the sidewalk?—A. I could not say exactly where I was; I was looking out for number one considerably, then.

Q. Can you recollect anything about the circumstances of your shooting?—A. I remember pretty much my position and where I was and everything of that kind.

Q. Where were you?—A. I was about ten feet above Mr. George Lea, on the street; I don't remember exactly whether I was just stepping up on the sidewalk or just stepping off.

Q. Which direction were you facing?—A. I was facing up the street.

Q. Was that away from Mr. Lea and his company or toward them?—A. I was facing away from them. I think I was facing up the street toward the Arlington Hotel.

Q. In what part of your body were you shot?—A. I was shot in the head, right on top of the head.

Q. Were you shot from behind or before?—A. I was shot from behind.

Q. Which way was the back of your head; what direction was it?—A. I think the back of my head was immediately down the street.

Q. The back of your head was immediately down the street?—A. The back of my head was down the street, my face was up the street.

Q. Did you see any colored men with weapons?—A. I did.

Q. Can you name any?—A. No, sir; I don't know that I can. I come in contact with a great many colored people, but I know very few of their names. We have at least 250 working in my father's factory, but I don't know 25 of them by name; I know them by sight, but I don't know them by name.

Q. Did you see anything of Davis Lewellyn, a colored man of that name?—A. Yes, sir.

Q. Do you know him?—A. Yes, sir.

Q. Did you see him with a weapon?—A. Yes, sir; I think I saw Davis Lewellyn with a weapon.

Q. Did he draw it?—A. Yes, sir. I don't know; I think he had it in his hand when I saw him. I saw him flourishing a pistol up in the air as I was coming around the crowd, and he says: "I am ready for you now."

Q. Did you see any more colored men beside him with pistols?—A. I saw one colored man I didn't know with a pistol, and one with a large knife in his hand.

Q. One with a large knife?—Yes, sir; open.

Q. I suppose you cannot give any idea of who shot you?—A. No, sir, I cannot; I had an idea that Davis Lewellyn was either shooting at me or somebody very close to me who was going up the street.

Mr. LAPHAM. That is hardly evidence.

By Mr. VANCE:

Q. I will ask you—I suppose it will be testimony—if, from the position

you were in at the time, the shot that struck you could have come from anybody on the street instead of on the sidewalk?—A. It could have been from the street; the sidewalk, I think.

Q. From the way you were standing you could have been struck from either?—A. Yes, sir.

Q. Had you a weapon yourself at that time?—A. Yes, sir.

Q. Had you displayed it before you were shot?—A. No, sir; before I was shot?

Q. Yes, before you were shot?—A. I had it in my hand.

Q. Did you at any time try to persuade the colored people to leave?—A. I had just gotten there when the firing commenced. I heard one colored man as I was passing through the crowd say to five or six others standing together: "You all had better go away from here now; I am going away myself; it was a fair fight between Noel and Hense Lawson, and he whipped him and he ought to whip him."

Q. Did you hear any reply to that?—A. No, sir, I did not.

By Mr. LAPHAM:

Q. How many times did you fire?—A. I decline to answer that question.

Q. For what reason do you decline?—A. For reasons satisfactory to myself.

Q. Then you are to state what they are?—A. No, sir; I do not have to do that, I think.

Mr. VANCE. I do not think he has.

Mr. LAPHAM. Oh, yes; he is compelled to do that.

Mr. VANCE. The answer itself is indicative of his reason.

Mr. LAPHAM. Oh, no; half the witnesses who have been here have testified to what they did without raising such a point as that.

Q. For what reason do you decline to answer whether you fired?—A. Well, I thought that was a right I had.

Q. On what ground? Are you afraid of criminating yourself?—A. I cannot say that I am, because even if I had shot, I would have been shooting in protection of myself.

Q. Then answer the question whether you fired.

Mr. VANCE. You are not obliged to do it.

The WITNESS. If I am not made to do it I will not answer it.

By Mr. LAPHAM:

Q. How many pistols did you have?—A. I had one.

Q. Didn't you have two?—A. I did not.

Q. What kind of a pistol was it?—A. I had a Smith & Wesson.

Q. Where did you get it?—A. I had it for some time. I don't remember when I got it.

Q. About how long had you had it?—A. Four or five years.

Q. Did you have it at the opera-house?—A. Yes, sir.

Q. Did you see anybody else at the opera-house armed?—A. No, sir; I did not.

Q. You had your pistol out in your hand, you say?—A. Yes, sir; when I felt my pistol was in my hand.

Q. Was it loaded?—A. Yes, sir.

Q. A five-shooter?—A. Yes, sir.

Q. You say you don't know who hit you?—A. I do not; no, sir.

Q. A ball could have hit you either from the street or the sidewalk?—A. Yes, sir.

Q. Whereabouts in the back of your head were you struck?—A. I was struck about the middle part of my head.

Q. Near the crown?—A. Yes sir; the scar is right there.

Q. The ball glanced over the skull, I suppose?—A. No, sir; it lodged there.

Q. What kind of a ball?—A. I could not tell.

Q. What caliber?—A. Really I don't know.

Q. Did not you see it after it was taken out?—A. Yes, sir.

Q. Well, cannot you say whether it was from a Smith & Wesson?—

A. It was very much battered, and you could not tell much about it.

Q. Battered all out of shape, was it?—A. Yes, sir.

Q. It hit nothing but your skull?—A. I could not say what it hit besides my skull.

Q. You don't know but what it was a spent ball, then?—A. I don't know anything about the ball.

Q. It might have battered against something else and glanced and hit you?—A. It was possible to do that. I don't know anything about that, though.

Q. You would hardly conceive that a ball would be battered that way and not fracture your skull?—A. It did fracture my skull to some extent.

Q. How long were you recovering?—A. I was in the house, I think, five or six weeks.

Q. How long did you lose consciousness?—A. About that I cannot remember. I know I was conscious for a while after the shooting. Before they carried me up the street I remember being conscious awhile then.

Q. You do not know who fired first, do you?—A. No, sir.

Q. Did you hear an order to fire?—A. I did not.

Q. You did not see Lewellyn fire?—A. Yes, I did.

Q. Did you?—A. Yes, sir.

Q. Was that before or after you were hit?—A. That was before I was hit.

Q. How soon was that after the firing began?—A. That was pretty early; very soon after it began.

Q. It was after it commenced?—A. That was after the firing commenced that he shot; yes, sir.

J. R. RICHARDSON sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside in Danville.

Q. How long have you resided there?—A. I have been there fourteen years.

Q. What is your business?—A. I am auctioneer in Graves's warehouse; auctioneer of tobacco.

Q. Where were you on the day of the riot?—A. I was at the warehouse in the morning, and I went to the opera house between two and half past two o'clock in the afternoon. I was in the opera house at the meeting that was called by Colonel Cabell.

Q. Go on and state all that occurred within your knowledge.—A. Well, sir; I was there, the meeting was progressing, and occasionally I would see first one and then the other come to the door and look a little excited. Pretty soon some of them got up and commenced to go out, and occasionally one would come back and say, "There's nothing going on," and Colonel Cabell was trying to quiet the crowd all the time—keep them in the house. About that time I heard a pistol shot. Then everybody broke for the door to get out, and I went to the window—I was

suffering from rheumatism and couldn't go down the steps—I went to the window and looked out. I only saw a portion of the riot from the window. As I looked out I saw on the corner of P. R. Jones's drug store about one hundred and fifty or two hundred colored men, and when I looked out I saw them start in a rush across the street, and then I heard them commence to fire. Pretty soon I saw them break back and come back again where I could see them and run through the market, and they pretty soon got out of my sight. I couldn't see anything of them after, I reckon, probably five or six seconds. I couldn't see any of the white people at all from where I was standing. I was only at the window looking out. I couldn't see any white people.

Q. How long was it before you went down?—A. I went down after the crowd got thinned out a little. I was crippled and I didn't want to be in danger of being run over.

Q. What was going on when you got down?—A. When I got down most of the white people were up near the Arlington Hotel, and Captain Wood and Colonel Cabell and several others were trying to disperse the crowd about on the corner, and make the colored people get off the street, and not let the colored people gather up any crowd.

Q. The fight was over?—A. The fight was over when I got down. I saw several people walking about with pistols in their hands, but I didn't see anybody shoot at all.

Q. Did you see any colored men with weapons?—A. I saw one from the window, and I saw him fire twice; going from the corner over across the street, as far as I could see him, he fired twice.

Q. Was he going towards Woolfolk & Blairs?—A. He was going towards the white people. He fired twice; I saw him shoot twice distinctly.

Q. Did you recognize him?—A. I did not, sir; the smoke was between him and me, so I couldn't see him.

Q. You are not mistaken about that?—A. No, sir; I am not mistaken about it. I saw it, sure. Of course I was looking right out of the window, and there was nothing but the smoke and flash of the pistol between him and me.

Q. What did you see of Captain Graves at that time?—A. When I came out Captain Graves was at the corner of the Border House.

Q. What do you call the "Border House"?—A. Nicholas & Hessberg's. I saw Captain Graves standing—he had gotten back off the street, and standing up by the side of the house loading his pistol—reloading, and after that I went with him around to the warehouse.

Q. Which warehouse?—A. To his warehouse—Captain Graves's warehouse—and he got on his horse and went home. He said he was bound to go home for fear his wife might be frightened, and he would go home, and did so.

Q. Were you present at the time that Charles Adams was shot?—A. I was not. I wasn't where I could see him. He was shot down on the Market street that crossed Main, and I couldn't see around the corner. I was below the corner.

Q. Were you out on the street when he was shot?—A. I was not.

Q. You didn't see any one fire down that way at all?—A. No, sir; I did not.

Q. When you came out Captain Graves was loading his pistol?—A. He was loading his pistol there on the corner.

Q. When the colored men ran from where the firing began towards the market, did you see any white men pursuing them?—A. I did not. They didn't come as far as I could see.

Q. No white men came within your vision?—A. No, sir; no one came within the line that I had.

By Mr. LAPHAM:

Q. How far is the opera house from the scene of this firing?—A. I suppose it is about between 60 and 80 yards; probably right diagonally across—the opera-house on one side, and the drug-store corner was right across. I reckon it was 60 to 80 yards, probably.

Q. From 15 to 20 rods?—A. I reckon so.

Q. All you saw of it you saw looking out of the window?—A. Yes, sir; that is all I saw.

Q. Of course you could not hear anything that was said?—A. No, sir; I couldn't hear anything that was said.

Q. You don't know who fired first?—A. No, sir; I was too far off.

Q. Whom did you see with pistols?—A. I saw Captain Graves loading his, and I saw Mr. Blount, the artist there, have a pistol in his hands after I came out, and I saw several in the hardware stores. I couldn't tell you who they were; they were passing in and out with pistols, getting them in the show cases, and some they would tell they didn't have cartridges there and they would get them somewheres else. I noticed them coming out looking for cartridges.

Q. Did you notice whether all the barrels in Captain Graves's pistol had been discharged?—A. I did not, sir. I just saw him poking the cartridges in as I came out.

Q. But you don't know whether he was reloading it or not?—A. I do not. I don't know whether he was partly loading or not.

R. M. HUBBARD sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. Nearly two years.

Q. What is your business?—A. I am employed at Graves's warehouse as floor manager.

Q. Where were you on the day of the riot?—A. I was at the opera house.

Q. When it began?—A. Yes, sir.

Q. Did you go down?—A. Yes, sir.

Q. At what time did you get down in the street?—A. It was just about over—nearly over. I got right at the bottom of the steps when most of the firing was done. I guess I got out in the street just as the firing closed.

Q. What did you see when you got out?—A. I saw them firing from both sides, and the darkies give back pretty soon.

Q. Did you see any black people firing as they ran?—A. Well, I don't know as the ones that was retreating fired any. There was some retreating. I suppose it was the ones that did the firing. There were some there, I suppose, from curiosity as much as anything else; they were the first ones, I think, that retreated.

Q. Did you see any colored man with a pistol?—A. Yes, sir. I saw them firing from both sides.

Q. You are confident of that; you saw both sides firing?—A. Yes, sir; cross-firing when I got out; firing from both sides.

Q. Where did you stand when you saw it?—A. I was going up the street from the opera house—I went out with the intention of going—

Q. How near had you gotten up before it was over?—A. I didn't get

very far; about half way between the opera house and where they were firing at.

Q. Before the thing had ceased?—A. Yes, sir.

Q. Did you see any white men pursuing the blacks?—A. No, sir.

Q. Were you along on patrol that night when some shooting was done?—A. Yes, sir.

Q. You are the man that was shot, are you not?—A. Yes, sir.

Q. Relate that, if you please?—A. There were four of us in company together; had been riding some time in different parts of the town, and we were right along the road just beyond Dry Bridge as it is called, and we were fired into from some party that was hid; just from a fence of some kind right close to us. We pulled up our horses as quick as we could—the horses were a little frightened. I saw the party when he ran to the house; it was but a little ways from the house, I reckon may be 40 or 50 feet.

Q. Whose house was it?—A. I don't know; I heard afterwards, but I can't recall the name now.

Q. Was it Price?—A. I don't know.

Q. Cooper Price?—A. Yes, sir; that is, I believe, the name I heard; they were all strangers to me.

Q. You understand it was a colored man's house?—A. Yes, sir; that is what I understood.

Q. You say the party that fired ran to the house?—A. Yes, sir.

Q. How many shots were fired at you?—A. I couldn't tell; there were two, as soon as we pulled up our horses. One of the party, Mr. Pete Graveley, who was along, asked who it was and what it meant; something of that kind; and they fired the second time at us, and we returned the fire, and there were several shots from both sides then.

Q. How many shots did you fire?—A. I couldn't tell; I reckon some twelve or thirteen or fifteen times; something like that.

Q. How many times did the other side fire?—A. They fired a good many times; there seemed to be several of them.

Q. Seemed to be more than one?—A. Yes; there was more than one of them.

Q. Who was hit in your crowd?—A. No one except myself.

Q. Where were you hit?—A. In the right leg.

Q. What with, a pistol?—A. No, sir; it was with a shot-gun or musket or something.

Q. Was your horse hit, too?—A. Yes, sir.

Q. Was your horse killed?—A. No, sir; he was not killed; we were both hit at the same shot from the same fire.

Q. Where is that Dry Bridge?—A. It is just across the railroad, up-town; just close to the corporate line; I think between the railroad and Jackson's Branch.

Q. They call it Dry Bridge because it crosses the railroad; it is not across any water?—A. Yes, sir; that is the reason it is called the Dry Bridge.

Q. Did you hear any firing that night in the direction of Jackson's Branch?—A. Yes, sir; I heard a great many firing over that way.

Q. How often during the night?—A. I couldn't tell you; during all the time I was over that way, within hearing distance of the place; I was around two or three times.

Q. Did the patrol go into Jackson's Branch?—A. Not that I know of.

Q. That is inhabited altogether by colored people?—A. Yes, sir.

Q. Were you close enough to distinguish the kind of people that the colored crowd was composed of—whether there were any women and

children in it or not?—A. No, sir; no women and children in it that I saw.

Q. You didn't see any at all?—A. No, sir.

By Mr. LAPHAM:

Q. What time in the night was it that this firing occurred—the time that you were shot?—A. It was about 10 or 11 o'clock, I think; about that.

Q. Who was with you?—A. Mr. George Coleman, Mr. Pete Graveley, and Mr. Stovall.

Q. Were you all on horseback?—A. Yes, sir.

Q. What arms had you?—A. There were three of us had pistols and Mr. Pete Graveley, I think, had a shot-gun, and may be a pistol also. I will not be certain about that.

Q. Were you armed at the opera house?—A. Yes, sir.

Q. Did you draw your arms when you went out?—A. I had it where I could draw it.

Q. I asked if you did draw it?—A. I don't think I did, sir.

Q. You didn't take it out of your pocket?—A. I don't think I did.

Q. Was it loaded?—A. Yes, sir.

Q. Before you reached the scene of this firing it was all over?—A. No, sir; it was not all over.

Q. You said you got about half way up there when it ceased?—A. I said I saw it; I was in sight of it.

Q. I say before you got up to where the firing took place, it was all over?—A. Yes, sir.

Q. Or didn't you go up there?—A. Yes, sir; it was over before I got to the place, but it was not over before I reached the scene.

Q. You say you didn't see or hear any firing in Market street?—A. They were firing close about Market street.

Q. Do you know by whom?—A. No, sir.

Q. Who did you see there with pistols?—A. I saw some negroes there with pistols, firing, right where Market enters Main street.

Q. Didn't you see any white men there with pistols?—A. No, sir.

Q. Did not see any white people there with pistols at all?—A. No, sir; I didn't see any.

Q. Did you see Captain Graves?—A. No, sir.

Q. You were on the opposite side of the street?—A. Yes, sir.

Q. Name any colored man there with a pistol.—A. I couldn't name any colored man or white man there?

Q. You say you didn't see any white?—A. I say I saw both sides firing—white and colored too.

Q. I understood you to say that you didn't see any white men with pistols?—A. No, sir; I did not.

Q. You don't know who fired first?—A. No, sir.

Q. Did you see anybody killed?—A. No, sir.

Q. Or wounded?—A. No, sir.

Q. What were you four persons doing at the time you were fired at?—A. We were riding along the road.

Q. Do you know who fired at you?—A. No, sir; I don't know who it was.

Q. Have you ever tried to find out?—A. No, sir; I have never tried to find out.

Q. Never have had anybody arrested for it?—A. There was a party arrested somewhere up there that night. I don't know whether they arrested the right party or not.

Q. Was he discharged?—A. Yes, sir.

A. Nobody has ever been punished?—A. No, sir; I think he was let out on bail.

Q. Nobody has ever been punished for firing at you?—A. No, sir; not that I know of.

Q. Do you know the fact that a good many colored people left Danville about that time and never returned there?—A. No, sir; I don't know that.

Q. Don't you know that any went away?—A. No, sir; I know very few colored people there, about town.

Q. What do you say your business is?—A. I was employed at Graves's warehouse.

Q. What doing?—A. As floor manager.

Q. Didn't you have colored people in your employment there?—A. Yes, sir.

Q. Did they all remain in that employment?—A. Yes, sir.

Q. None left?—A. No, sir.

Q. Where did you get the pistol with which you went to the opera house?—A. I think I got it from a man by the name of White, a gunsmith there.

Q. How long before that?—A. Some two or three or four months.

Q. What was it?—A. It was a Smith & Wesson.

Q. A five-shooter?—A. Yes, sir.

Q. .38 caliber?—A. Yes, sir.

Q. Was it loaded?—A. Yes, sir.

Q. What occasion had you to carry that arm to the opera house?—A. Well, sir, I had been carrying it—keeping it with me—at the warehouse generally.

Q. Just answer my question. What occasion had you to carry it?—A. Oh, I am answering it.

Q. What occasion had you to carry it to the opera house is my question?—A. I had been carrying it all the time, keeping it with me.

Q. It wasn't accidental then; you knew you had it when you went there?—A. Certainly I did.

Q. Did you leave the opera house before the meeting broke up?—A. Well, they were signing some circular when I left—some of them was—I won't be certain.

Q. There was a resolution passed there averring the truth of the Coalition Danville circular, as it was called, wasn't there?—A. Yes, sir; something of that kind. The people had not all left when I left, but I think the meeting was about over.

Q. They were giving their assent to that resolution?—A. Yes, sir.

Q. The resolution was passed in the meeting first, wasn't it?—A. There was some resolution passed; I couldn't tell you what.

Q. How many people were there?—A. A large crowd.

Q. About how many?—A. I couldn't tell you, sir.

Q. How many would the opera house hold?—A. I couldn't tell you that. It is a large house, and I reckon it will hold some six hundred people.

Q. It was full, wasn't it?—A. Yes, sir; I reckon it was. I didn't view the crowd over; there might have been some places not filled up; a good large crowd, though.

Q. How soon were the Grays called out?—A. I couldn't tell you; it was very soon after; not a very long time.

Q. Who put you on guard?—A. I was put on guard by Mr. Wood, I think—some of the authorities.

Q. Who was Mr. Wood?—A. He was sergeant of the town.

Q. Now, how many times did you and those who were with you fire at the people you supposed shot at you?—A. We fired some twelve, or fourteen, or fifteen times, I think.

Q. What did you fire?—A. I may judge more from the arms which we fired; that I don't know.

Q. What did you fire?—A. I fired a pistol.

Q. You didn't dismount?—A. No, sir.

Q. Did you ride up to where the shots came from?—A. What, after the shooting?

Q. After you were shot, did you ride up to where the shots came from or did you fire from where you stood?—A. Fired from where we stood; I was not shot at the first fire.

Q. I am not speaking of the first firing; I am speaking of the firing when you were hit in the night.—A. Did we ride up to the place?

Q. Did you ride up toward those who fired at you?—A. No, sir; we were right against a fence, right opposite the house.

Q. Did you shoot before you were hit?—A. Yes, sir.

Q. How many times?—A. Three times.

Q. With your revolver?—A. Yes, sir.

Q. You didn't dismount?—A. No, sir.

Q. Did you aim at any one?—A. I couldn't see any one. It was dark. I aimed at the flash from the guns that were shot at us.

Q. You shot in the direction from which the shots came to you?—A. Yes, sir; the best I could.

Q. It was so you couldn't see any person?—A. No, sir; there was some houses there. I supposed they were shooting from around the houses and some shots came from very near the ground.

Q. The same shot that wounded your leg wounded your horse in the side, I suppose?—A. Yes, sir.

Q. Do you know whether the people generally in the opera house were armed?—A. No, sir; I don't know of any one armed there except myself. I never heard anybody say, and never asked anybody anything about it; I didn't see any one.

GREEN WILLIAMS sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you been there?—A. I have been there about twelve years.

Q. What is your business?—A. At present I am chief of the police there.

Q. Have you been such before this time?—A. Yes, sir.

Q. How long have you occupied that position?—A. I occupied that position about six or seven years before.

Q. When were you last made chief of police?—A. Last December.

Q. Where were you on the day of the riot?—A. Well, sir, on the morning of the riot I went to New Design precinct, about 3 miles from Danville. The time the riot occurred I had just returned, and was coming up Main street.

Q. Did you see anything of it?—A. Yes, sir.

Q. What did you see?—A. Well, sir, the first intimation I had of it was the shooting.

Q. Where were you at the time?—A. At the time of the discharge of the fire-arms I was on the corner at Estes and Wooding.

Q. Where is that?—A. It is just one square below where the shooting took place. It is corner of Crag Head and Main street.

Q. How far from the opera house—that is, where you were when the main shooting took place?—A. Yes, sir.

Q. What did you see then and what did you do?—A. I saw shooting from both sides of the street. I suppose there was from somewhere to fifty or sixty shots fired. There was a young man in the buggy with me. I got him to take the buggy to the stable and I got out and went up there. By the time I got there the shooting was over.

Q. Did you see any colored men with weapons?—A. I saw that they were shooting from colored people. The shots fired from both sides—the colored out in the street.

Q. How could you judge?—A. I could judge from the smoke crossing—the firing and the smoke crossing.

Q. Volumes of smoke meeting and coming together?—A. Yes, sir.

Q. You judge that way that the firing was from both sides?—A. Yes, sir.

Q. Did you see the white men pursuing the colored men, or did they stand their ground?—A. I saw no one pursuing any colored man at all.

Q. You were not close enough, I suppose, to see how the firing began?—A. I was not.

Q. Having been chief of police a good while, I suppose you are acquainted with the habit of the colored people about carrying weapons, are you not?—A. I suppose so.

Q. What is their habit as to that?—A. There is a good many carry them.

Q. As many in proportion to numbers as white people?—A. I think the proportion is greater.

Q. You think the proportion of colored people who carry weapons is greater than the whites?—A. Yes, sir; I think the offenses before the police court, and had up by the policemen show that the proportion is much greater among the colored than the whites.

Q. Did you hear any speaking about that time?—A. I think I heard pretty much all the speeches that were made on both sides, a large portion of them.

Q. Did you hear a speech made by a colored man by the name of Taliaferro?—A. I did.

Q. Where was it delivered?—A. In front of the court-house.

Q. When?—A. I don't remember the date, but it was about a week or perhaps a little more than a week prior to this riot.

Q. What did Squire Taliaferro say?—A. Well, the principal feature of his speech was his instructing the colored people to go to the polls armed, and not to go with arms empty, to carry their guns loaded.

Q. To go to the polls armed, and to have their arms loaded?—A. Yes, sir.

Q. Do you recollect what figure he made use of to impress it upon them?—A. That "people do not go squirrel hunting with empty guns."

Q. How did that seem to be received?—A. Well, sir, it was received with shouts of applause from the colored.

Q. Do you know whether or not the colored people socially ostracize any of their race who vote the Democratic ticket?—A. I know that they did, sir, or, at least, I was told so by the colored people.

Q. You were told so by the colored people themselves?—A. Yes, sir.

Q. Do you know any instances—can you give any instances of that kind?—A. Yes, sir.

Q. Do so, please.—A. Well, sir, one of them was the case of Henry

Hill, colored. I was told that Squire Taliaferro went to his house a few days before this occurrence—he had announced the fact that he intended to vote the Democratic ticket—Squire Taliaferro went to his house and told him that if he did they would ostracize him; that he should not visit or be visited by any colored people.

By Mr. LAPHAM:

Q. Did you hear this?—A. I was told so by Hill.

Mr. LAPHAM. I don't believe that is competent.

Mr. VANCE. That is just on a par with hundreds of pages that have been given in on the other side.

Mr. LAPHAM. Hardly, governor.

Mr. VANCE. I think if you can let a man get up here as a witness and tell that somebody whom he didn't know on the train told him so and so, that certainly it is competent to tell what a colored man said in this respect whom we do know, and whose name we give.

Mr. LAPHAM. Well, go on.

By Mr. VANCE:

Q. So Hill told you this himself?—A. Yes, sir.

Q. That Taliaferro told him he would not be visited, and would not be allowed to visit any colored people?—A. And that he would not be noticed at all. Another instance was that of Coleman Hawkins, a colored man that is on the market there. A short time before this occurrence Hawkins sent for me, wanted to see me, and I went to the market to see him, and he told me that he desired to support the Democratic ticket, and that he knew of at least 100 colored men who also desired to do so. I had some considerable talk with him, and he requested me to come back and see him again and he would furnish me with a list of them, that I might see them and have a talk with them. I don't think I saw him that evening, but the next day I saw him, met him on the street, and asked him to furnish me with a list. He told me he could not; that he had been threatened by colored people; he would be mobbed if he undertook such a thing, or did support the Democratic ticket. He named a good many parties whom he stated were desirous of supporting the Democratic ticket. Another instance was that of Sam Noble. He told me that he intended to support the Democratic ticket, and I think he did so on the day of election, but stated that he was afraid to make any such announcement public. He was afraid of being mobbed by colored people if he did.

Q. You think he did vote the Democratic ticket?—A. I think he did, but he had to do it in a very quiet way, a secret way, as did a good many of them to my knowledge.

Q. Well, do you know of any other instances?—A. I know of a good many, sir, that I have spoken of, but cannot remember the names of the parties.

Q. You think you could safely say that you know it to be a fact that they are threatened with all kinds———A. There is one that comes to my mind now, that of Phil. Hubbard, who has voted the Democratic ticket ever since I have been in Danville, I think. The excitement was so great that on one occasion on going home from work at night he told me that he was met at the door by his wife, and his wife stated to him that the colored women had held a meeting, and had decided that they would not live with any of their husbands who voted the Democratic ticket, or who announced themselves in that way at all.

Mr. LAPHAM. Good for them.

The WITNESS. That they would not live with them or would not recognize them at all if they voted the Democratic ticket.

By Mr. LAPHAM :

Q. That is, their own wives said that?—A. Yes, sir, their own wives—the colored men's wives.

By Mr. VANCE :

Q. They did not say anything about other men's wives, I suppose; just spoke of their own?—A. Just spoke of their own; said colored women had held this meeting; had decided that they would leave their husbands and quit them if they voted the Democratic ticket; would not stay with them.

Q. What effect did that have on Phil's wife?—A. She told him she would not live with him.

Q. What did Phil. say he said in response to that?—A. Well, he stated that he told her she could go as soon as she pleased; there was the door; that he had nothing to do but go to the door and whistle, and have another there in ten minutes.

Q. What did she conclude to do?—A. She concluded to stay, to remain.

Q. She concluded to remain?—A. Yes, sir.

Q. Well, that is what you call cowdozing instead of bulldozing.—A. I don't know what term you apply to it.

Q. That could not be called bulldozing. Did you hear any other colored man make speeches in that campaign?—A. Yes, sir; I heard two of them; one of their names I don't remember. He was in the same county, down in the direction of Richmond, and that of William Pleasants. I heard one made by him.

Q. Was the other man named Harris that you tried to remember the name of?—A. I think not.

Q. What was the tone of their speeches?—A. That of this negro from down in the neighborhood of Richmond was a very conservative speech. He said nothing improper, or nothing calculated to cause any excitement of any kind, but that of William Pleasants was not so much so. He made some reference to sending to Washington to have troops brought there; that he asked for troops to be brought there, and said that he would, before adjourning the meeting, put the motion to see whether or not they should send to Washington, and see whether troops should be brought there.

Q. Was that motion acted upon?—A. Yes, sir.

Q. How was it voted upon—to do so or not to do so?—A. It was voted to do so.

Q. Was that before the riot or after?—A. Oh, some time before.

Q. Do you know that in consequence of this pressure the colored people brought to bear on each other, and threats about bringing troops, &c., there, that the chairmen of the Democratic committees of the various wards issued an address in which they promised to protect any colored man who would vote the Democratic ticket?—A. I know that was done.

Q. (Handing a paper to witness.) Is that the address that was issued:

To the People of Pittsylvania, Danville, and North Danville :

FELLOW-CITIZENS: From all appearances the Coalitionists have taken much pains lately to misrepresent the action and intention of the Democratic people of this section. Men, in their recklessness, have put abroad the idea that our party desires to win success by improper means—by “bulldozing” voters, or similar methods—and we have been threatened with the rigors of the law. We have always observed that those who prate most of the terrors of the law are those who have the most reason to fear it. The devil, it is said, is apt at quoting scripture, so a Coalitionist is good at invoking the law which he daily violates.

The charges against us are not true. The old trick of “stop thief,” called out by

the thief himself more lustily than by all pursuers, seems to have been adopted with peculiar favor by the Radical, so-called Liberal, Mahone Coalitionists.

No Democrat has "bulldozed," nor will attempt to "bulldoze," any voter or number of voters. The white people of this section desire nothing so much as "a free ballot and a fair count," and they mean to have it. They do not wish to trench upon the rights of any—they will not threaten, nor will they intimidate any one, but they do not intend to be either swindled or bulldozed themselves.

The time has come when every man who is a man should show his colors. "Good Lord, good devil" won't do now. The threats made against our people amount to nothing. What fear can a people have who have only done their duty and mean only to defend their homes, their civilization, and all that is dear to them?

What a man has honestly acquired is his own. He can manage his property and direct his energies to suit himself, and "no man dare molest or make him afraid." He can yet, thank Heaven! buy of whom he pleases, he can rent to whom he pleases, he can patronize whom he pleases, he can employ whom he pleases, only paying for services honestly rendered him. No law ever did or ever can interfere with rights such as we have named, inherent to man even in barbarous countries.

Our people, therefore, need not be intimidated by the blatherskiting threats of our insolent opponents who would invoke the law against us, bring down Federal soldiers upon us, and whose acts begun in treachery and continued in fraud will end as such things always do—in disaster to the inventors.

We have been informed that many humble men—some of them colored men, who realize how they live, who know how and by whom they are employed, who know to whom to look for aid and comfort in their troubles, who know that the respectable and intelligent white men of this section are their friends, and their *only true* friends, desire to vote and act with their white friends, or not vote at all—are forbidden or deterred by the threats of "carpet-bag" or "scalawag" whites and negroes from doing so.

We say to all who have been or shall be thus threatened to do as justice, your conscience, and interests may dictate.

We say to you that you shall not be hurt or harmed if you choose to vote the Democratic ticket along with your white friends at the approaching election.

We say to you colored men that our white people have conferred together fully and freely, and they have determined to protect you in your rights if you determine to exercise them for the good of the country in which you live.

Vote as please. Be freemen! not slaves. Stand by the people who have stood by you, and who will continue to stand by you if you prove faithful. Stand by the people who have helped you when your wives and children were hungry, and who will continue to stand by you in "summer's heat and winter's cold" if you will only do that duty which you owe to the country in which you live.

You have been promised much by the "carpet-bagger," the "scalawager," the Coalitionist, the pimp, the hirelings of our enemies. What have you realized, how have you been benefited after you have opposed and voted against your friends and employers?

Times are not what they used to be. We must and will stand by those who stand by us; but we cannot afford to, and we will not go out of our way, to help people, no matter of what color or condition, who have set themselves against what we think right.

We have consulted together—the men of character, of intelligence, of property in Danville, of all professions, trades, and callings, will act together—and they say to all our people, no matter how poor or humble, white as also colored—and some of the colored seem to be moved by a proper feeling—to fear not. We are friendly to you, we hope you are so to us. If you wish to come with us in the coming election we say act prudently and honestly. We will stand up for and protect you. We do not intend that those who do what we believe to be their duty to their community, their State and country, shall suffer or want either now or hereafter.

There is some law left in the land yet. Virginia needs all her people now. Let no man with one spark of patriotism fail to do his duty in this emergency.

GEO. C. CABELL, *Chairman Democratic Party, Danville.*

C. G. HOLLAND, *Chairman Fifth District Committee.*

R. C. HERNDON, *Chairman Second Ward.*

J. D. BLAIR, *Chairman Third Ward.*

WM. P. GRAVES, *Chairman Advisory Committee.*

T. L. BROWN, *Assistant Superintendent.*

T. R. MCDEARMAN, *Chairman First Ward.*

We endorse the above.

DAN'L COLEMAN.

W. N. SHELTON.

W. F. CHEEK.

H. A. WISEMAN.

JAS. M. HUTCHINGS.

A. GERST.

A. M. AIKEN.

E. B. WITHERS.

D. W. BLOUNT.

C. A. RAINE.

J. E. SCHOOLFIELD, and others.

W. T. HARRIS.

JOHN W. HOLLAND.

A. G. FULLER.

T. B. FITZGERALD.

W. T. CLARK.

A. I think this was in reply to the speech of William Pleasants, and that a circular or notice was stuck up on the corner by Colonel Sims. I think this was intended to apply to those two things.

Q. Well, that is a genuine document, is it?—A. Yes, sir.

Q. And was issued under those circumstances?—A. Yes, sir.

Q. Did you distribute that?—A. I did.

Q. For the committees; help to do it?—A. Yes, sir.

Q. Can you give us the contents of that notice that was stuck up, that you speak of?—A. I think I can.

Q. What was it?—A. The substance of it, it was a notice offering a reward for information of any parties threatening to turn off hands on account of politics, or offering to pay them to vote, or anything of that kind. It was offering a reward of \$25.

Q. And this circular was issued in answer to that notice of Sims and to the resolution which Pleasants had had adopted asking for United States troops to be sent there?—A. Yes, sir.

Q. I am requested to ask you if you are acquainted with the registration of the respective parties in the city of Danville?—A. I think, sir, if there was any in Danville that was acquainted, I was.

Q. Will you state how many men the Coalition party had registered, and how many the Democrats had registered prior to the last election?—A. I think the Coalitionists at the close of the registration had about 1,300, or perhaps 1,301 or 1,302. The Democrats had somewhere between 1,000 and 1,100.

Q. Now, do you know that the Democratic committees had thoroughly revised the registration?—A. I know that they had, and had prepared proof to show that quite a number of those registered on the Coalition registration had moved away, were dead, and were not present, and so on. I know that.

The CHAIRMAN. That is going too far.

The WITNESS. I know that a good many that stood on the registration books there had moved away from Danville and did not live there.

Mr. VANCE. It has been alleged frequently the number that the Coalitionists had registered with a view to show that they had a large majority in the town. I want to show how that was.

The CHAIRMAN. Well, if the witness has any means of knowing it.

Q. Did you examine the registration of the two parties?—A. I did. I will tell you very quick how I know it, if you desire it, and permit me to do so.

By Mr. VANCE:

Q. You had examined the registration books?—A. I was at work on the registration books, and in connection with them we have for two months prior to the election——

Q. I will ask you if it was not your business, as representing the Democratic committees, to go around and see if the men who registered lived where they professed to live, and to examine their houses, to investigate all that matter, and see if any fraud was being practiced?—A. I did.

Q. Now, how do you say it stood, in fact—the registration?—A. I think the Democrats could have carried Danville by from 100 to 150 votes, if every colored voter in Danville that was entitled to vote had voted on the day of election.

Q. Without any fraud, or anything of the kind?—A. Without anything of the kind, a fair, square vote.

Q. I am requested to ask you if you knew that some sixty-odd men,

whose names were duly registered, had been taken off to Mississippi to work on the railroad?—A. Yes, sir.

Q. And their names still remain on the registration books?—A. Yes, sir.

Q. And if you did not obtain a list of them from Mississippi?—A. I did.

Q. To compare with the registration books?—A. I did. I know also that I went to Winston, N. C., and there obtained a large number who were then living in Winston, N. C., who had been there more than a year; a number from Greensboro', and also from Winston, N. C.

Q. Any from Readsville?—A. Yes, sir; and I will state further that some of the parties who were registered there, on my producing proof, on my leaving to get the proof of it, and their knowing of it, picked up their duds and left, because they had registered illegally and improperly.

Q. Did you attend the club meetings of the Democratic party pretty regularly?—A. Yes, sir.

Q. Did you attend at any time meetings also of the executive committees of the clubs?—A. I did. I always summoned them together whenever it was necessary.

Q. Was there or was there not any advice or caution given in regard to avoiding a collision with the black people?—A. I don't think there was a meeting during the entire campaign, that I attended, that such caution and advice was not given.

Q. Why was it said that it was desirable to avoid a collision?—A. It was stated that they thought it would be very injurious to the Democratic party to have one; that such things as that, especially in the South, were used as capital in the North against the Democratic party on all occasions of elections and in all campaigns.

Q. Was there any apprehension that the returning board of your State might throw out your county if there was any pretext of that sort?—A. Yes, sir.

Q. That entered into the calculation also?—A. Yes, sir.

Q. Have you any knowledge of any fact tending to show that this riot was premeditated and met the approbation of the Democratic party there in Danville?—A. Well, the only knowledge I have of such facts as that came from the Coalition party—from its leaders—that it was premeditated on their part.

Q. They stated so?—A. They talked; they did not state that it was an actual fact, but their talk to me led me to believe it was so on their part.

Q. That there was a design to get up the riot on their side?—A. Yes, sir.

Q. You have no evidence of any facts tending to show that there was any premeditation or desire on the part of the whites to get it up?—A. None on the face of the earth, sir; but, on the contrary, it was just the other way.

Q. Did you carry this circular, headed "Coalition rule in Danville," around to get signers to it?—A. I did.

Q. Did you tell Mr. J. H. Johnston, the mayor, as follows:

Williams said he carried the circular around to get the signers, and he said it was a long document, in manuscript form, and he didn't think any man read that circular, and I account for it in that way.

A. That is not true.

Q. You did not tell him the men did not read it?—A. I did not, but, on the contrary, he charged that this was the fact in the case; that one

of the signers, or one of the members of the firm, stated that he knew nothing about it, and had not signed it; and, in explanation of it, I then for the first time heard that he had any knowledge of my having any connection with it. I stated to him that that was not the case; that I had carried that circular around, and that he had signed it, and that he knew what he was signing. That was the firm of Poindexter & Son.

Q. He also stated that a man named Westbrooks did not know anything about it. Did you tell him that Westbrooks did not know anything about it?—A. I never made such a statement to him. On the contrary, I carried it to Mr. Westbrooks, and he read it over before signing it.

Q. Is Mr. Johnston a man whose memory is always clear?

The CHAIRMAN. That is not exactly fair.

The WITNESS. Very much to the contrary——

Mr. LAPHAM. One moment, witness.

Mr. VANCE. It is not an assault upon his character.

The CHAIRMAN. It is an indirect assault upon his character; it ought to be proved correctly.

By Mr. VANCE:

Q. I will ask you if Mr. Johnston did not get drunk sometimes?—A. Yes, sir.

The CHAIRMAN. Well, that is not competent. The witness must not answer at all. It is not competent to impeach a man's character for a man's getting drunk. Of course you know the rule. If you want to impeach Mr. Johnston's character, there is a difference in impeaching a man's moral character and impeaching his capacity to remember things.

By Mr. VANCE:

Q. What is Mr. Johnston's general character with reference to sobriety?

Mr. LAPHAM. Wait a moment. That we object to.

The CHAIRMAN. If you make it with respect to truth and veracity, it would be very proper, but to impeach a man for the fault of drunkenness, or even a special case of crime, would not be competent.

Mr. VANCE. Well, that may be law in Ohio, but I have never heard such a case as that—general character.

Mr. LAPHAM. You cannot inquire as to the particular vice with a view of impeaching a person.

The CHAIRMAN. Truth and veracity is the only thing.

Mr. LAPHAM. You have got no law in Virginia or North Carolina for it.

Mr. VANCE. Oh, yes, we have the law, and everywhere else in civilized countries. Do you hold, Mr. Senators, that I cannot show that he is a man of defective memory?

The CHAIRMAN. You cannot show that he is a man that drinks occasionally or a man of defective memory, but can show that he is a man of truth and veracity, or his general character.

Mr. VANCE. Can I show that he is a man of defective memory?

The CHAIRMAN. I should think not.

Mr. VANCE. That, as a fact, he is a man of defective memory?

The CHAIRMAN. I think not; I never knew a witness impeached that way; you can show that by cross-examination of the witness; that is the usual way to do it.

Mr. VANCE. Can I show that he is a man with one leg?

The CHAIRMAN. Yes, that don't tend to impeach him; the only question is, is he a man of truth and veracity?

Mr. VANCE. Couldn't I show that he is a man of weak mind, idiotic?

The CHAIRMAN. Idiotic. You can show that he is an idiot, because then he has no memory at all, no mind; you will have to show that by formal proof.

Mr. LAPHAM. You will have to show that by judicial proceeding; you cannot prove it by a witness.

Mr. VANCE. I supposed that things were shown by testimony when they were established in court.

Mr. LAPHAM. All those questions would have been very proper by way of cross-examination of Mr. Johnston, but you cannot prove it by a third person.

Mr. VANCE. Well, if I am not permitted to ask the question, I want the record to show that I have offered to prove that this man was a drunkard, and have offered to prove that his memory was defective, and they were both ruled out. With that record I am willing to go on to something else.

Q. What condition of things prevailed on the day of election?—A. Very quiet.

Q. No disturbance at all?—A. None whatever.

Q. When were the steps taken to restore order and to give people a quiet election?—A. Well, sir, the first steps to restore order were taken immediately after the riot, as quick as it could be done.

Q. What were they?—A. The steps taken to assure the people that the election should be quiet and everybody should have the right to vote, and to vote in any manner they thought proper, were taken on Sunday morning; a circular stating those facts was gotten up, signed by both parties, and sent around, circulated through the town.

Q. How many extra policemen were appointed?—A. I think there were about forty appointed on Saturday, maybe more, immediately after the riot.

Q. How many were appointed to observe order at the polls?—A. There was quite a large number, but I don't remember. I think there were about fifteen at each precinct—a dozen or fifteen.

Q. How many precincts in the city?—A. Three.

Q. One in each ward?—A. Yes, sir.

Q. Under whose command were they all? There was a captain appointed in each ward and they were under the control of the sergeant and the town authorities—the mayor?—A. Yes, sir; under the control of the town authorities. These men were sworn in by the mayor himself.

Q. How long after the riot was over until the streets were quiet?—A. Well, sir, it was within a very short time.

Q. Did you see Hatcher that day during the riot?—A. I saw him immediately after the shooting was over.

Q. Did you see him with any weapon?—A. None whatever, except a very small knife.

Q. An ordinary pocket-knife?—A. Yes, sir; and very small.

Q. What time do the factories ordinarily turn out their hands Saturday evening?—A. At 4 o'clock.

Q. They commence to pay them off at 4 o'clock Saturday evening?—A. Yes, sir.

Q. Was the crowd on the street that evening, when you came in from the country, greater than it usually is on Saturday evening at that hour?—A. I think it was much greater.

Q. It was too early for the crowd to be usually on the street, wasn't it?—A. It was too early for the factory hands to have received their pay and gotten out. It was not time for them to be paid off.

Q. It was not time for them to be paid off?—A. No, sir; before 4 o'clock.

Q. Do you know anything about the condition of the market there?—A. Yes, sir.

Q. That was complained of in that circular?—A. Yes, sir.

Q. What was the condition of the market?—A. Well, sir, it was such a place that almost every man in Danville had forbid and stopped his wife from going there at all, and was forced and compelled to go there and do his marketing himself. It was filled up in a very large portion by dirty, insulting negroes, negroes without any education or had no respect or knew how to treat anybody with respect at all.

Q. Do you say negro or nigger?—A. Negroes.

Q. Well, you say it was so bad that no citizen scarcely would permit his family to go there and do the marketing?—A. No, sir; a few, probably. I don't think any ladies scarcely went to the market except those that kept boarding-houses, and were just compelled to go. It has been twelve months since my wife has had to stop going to market altogether. I have had to go myself.

Q. What was the condition of the market itself as to cleanliness?—A. Well, sir, it was not kept cleanly at all, and much worse just about the time of the election than it had been before. The clerk of the market, whose business it was to keep it in order and keep it clean, some months before the election had quit his post of duty altogether and gone out canvassing, getting up and looking up votes.

Q. No one there to control it, keep it in order?—A. No one to control it, keep it in order, and keep it clean.

Q. Was the clerk of the market a white or colored man?—A. Colored man; and both police took up their time registering votes instead of attending to the duties of their office.

Q. Do you know any case of rudeness on the streets on the part of the colored people?—A. I do.

Q. Can you give some?—A. Well, sir; only a very short time before this occurrence on the street—I don't know whether it was not the very evening, perhaps, before—there were three colored men going down the street somewhat intoxicated, arm in arm, just took the whole sidewalk, and every lady that came in the opposite direction had either to get out of the street or go in a store.

Q. Had to give up the sidewalk to them?—A. The entire sidewalk. I have seen various kinds of things of that kind. I have seen colored women and men both just push right through between a lady and gentleman walking along the street.

Q. Push through between them?—A. Push right through, did not regard them at all coming along the street.

Q. Why was this submitted to?—A. It was done because the white people had been instructed and talked to so much about not having any difficulty or having any trouble, and it was borne, though I have frequently thought it was unbearable, and did not see how they could bear with it.

Q. They bore with it for the sake of peace?—A. Yes, sir.

By Mr. LAPHAM:

Q. Are the registry lists in your State made up every year, or are they continued from year to year?—A. Continued over from year to year.

Q. This was an old registry list then?—A. I think the last registration that was taken before that was in 1880.

Q. Just answer the question. It was an old registry list?—A. Yes, sir; standing from 1880, I think.

Q. It was not a new list made up for the purpose of this election?—A. Not the entire list was not.

Q. On either side?—A. On either side, and I will state this fact in explanation of that——

Q. Now, it was the general registry?—A. I would like to answer your question before that. I have not finished my answer.

Q. If I have got it and asked you another, you have no cause to complain.—A. I have answered your other partially; I want to finish my answer.

Q. Well, I will ask you another question. Is it a general registry in alphabetical order?—A. Yes, sir.

Q. Of all voters?—A. It is.

Q. White and black?—A. Yes, sir.

Q. They are not registered separately?—A. They are separate books.

Q. How separate books?—A. Separate lists.

Q. How do you classify them politically, then; they are not registered politically in classes, are they?—A. Not at all.

Q. How do you know, then, what the politics of the voters were?—A. I know what the books show; that is all I know about it.

Q. Except you know the political standing of your own people, how they would vote on either side, you don't know? A. Yes, I do.

Q. Any accurate knowledge?—A. I had what I considered accurate knowledge.

Q. You know more about it than the voters did. Have you any means of knowing who the various persons there were with 2,300 or 2,400 names on the registry?—A. Yes, sir.

Q. Now, do you mean to swear that you knew how every man was going to vote?—A. I do not. I do not mean to swear I know how every man would vote, but I know principally how they would vote.

Q. Who was this man whose wife threatened to leave him if he voted the Democratic ticket?—A. Phil. Hubbard.

Q. Do you know how he voted?—A. I know how he has been voting for several years.

Q. Do you know how he voted last fall?—A. I know how he stated he voted.

Q. How?—A. He stated he voted the Democratic ticket.

Q. Well, they have not separated, have they?—A. They have not. No, they have not; but he told her there was the door——

Q. Now, answer the question. I only want you to answer my question.—A. I like to answer your questions, but I like to answer them in full.

Q. I asked you whether they had separated?—A. Well, I answered that question; answered it fully.

Q. You say the election was quiet?—A. It was the quietest I ever saw.

Q. What poll were you at?—A. Different polls.

Q. Were you armed?—A. I was not.

Q. Did you see anyone armed?—A. I don't remember seeing anybody armed except the police force.

Q. There was an armed police then at the polls?—A. Of course; all policemen generally go armed.

Q. They were armed at the polls, that is my question; how many?—A. I think perhaps a dozen at each precinct.

Q. Armed with what?—A. Some of them had guns and some pistols.

Q. They were all Democrats, were they not?—A. I presume they were.

Q. Don't you know they were?—A. I think so.

Q. You say there were forty policemen appointed that night?—A. Yes, sir.

Q. Were they all Democrats?—A. No, sir.

Q. You say they were not all Democrats?—A. No, sir.

Q. Name anyone who was not.—A. Two of Captain Wood's sons; they were members of the Grays though, but they were out on duty.

Q. They belonged to the military company. What is the name of this clerk whom you say had quit the market and gone canvassing?—A. His name is Benton Fields.

Q. Where is he?—A. In Dauville; still clerk of the market there.

Q. Well, if I understand you, he for a month neglected his duty there entirely?—A. He did.

Q. And left the market in a deplorable condition?—A. He left it and did not give his attention to it as he was required to do under the ordinance.

Q. He was a village officer, was he not?—A. He was, sir; he was one of the city officers.

Q. Where had you been, do you say, this day?—A. I had been to New Design for the purpose of copying the registration book.

Q. I did not ask the purpose?—A. Well, I would like to give it.

Q. Well, I do not want it. I ask simply where you had been?—A. I answered you.

Q. Yes, you did, and there you should have stopped. Who was with you?—A. Mr. Samuel G. Pace.

Q. Were you armed?—A. I was not.

Q. Did you have arms when you went there?—A. I did not.

Q. Didn't you have arms that day?—A. I did. I armed myself just as quick as I could.

Q. Where did you get it?—A. Tyack & Doe's.

Q. What did you get?—A. A pistol.

Q. What kind of a pistol?—A. I got an American bull-dog.

Q. What pistol was it; what patent?—A. I have just told you it was an American bull-dog.

Q. How many cartridges?—A. Five.

Q. Was it one of Smith & Wesson's?—A. It was not. I never heard one of Smith & Wesson's going by that name.

Q. Was it loaded?—A. I loaded it.

Q. Did you shoot it?—A. I did not.

Q. Where did you go with it?—A. Went out on the street with it.

Q. How soon do you say you did that?—A. Just as quick as I could get in there and get one.

Q. Did you buy it or borrow it?—A. Didn't buy it or borrow it either; just went to the show-case and got it.

Q. Where did you get the cartridges?—A. Got them right at the same time from the show-case.

Q. Was there plenty of them there?—A. No, sir; I found some little trouble in finding them to fit it. There was plenty of them there.

Q. There was plenty of them there, but would not fit the pistol you selected?—A. No, sir.

Q. Did you hold any office at that time?—A. I did not.

Q. Had you ever held any prior to that time?—A. I had.

Q. When?—A. From April, 1872, to 1880.

Q. What was it?—A. Six years of that time I was chief of police.

Q. From 1879 now up to this time you have not held any office?—A. No, sir.

Q. Have you been appointed to any since?—A. I have.

Q. What?—A. Chief of police.

Q. When were you appointed?—A. In December.

Q. December last?—A. Yes, sir.

Q. You received the reappointment from the Democrats, I suppose?—
A. I did.

Q. Were you employed by the Democrats any time during the canvass last fall?—A. Yes, sir.

Q. In what capacity?—A. In that of looking after the registered vote, getting up the transfers and sending them to parties.

Q. Did you circulate this "Coalition rule circular" for signatures?—
A. I did. I took it around for signature.

Q. Do you know who drew it?—A. Well, I have some knowledge of it. In the first place——

Q. Who drew it?—A. Well, I will answer your question just as plain as I can make it to save my life. I don't know positively who drew it, but I will answer——

Q. Then I don't want you to answer. Whom did you receive it from?—A. I received it from Waddell's bookstore.

Q. Who delivered it to you?—A. I went there and got it.

Q. Who requested you to circulate it?—A. Judge Aiken.

Q. Now, did not you ask more than one person to sign that who refused?—A. I did not. I never asked one.

Q. You are sure of that, are you?—A. I know it.

Q. You are sure that every person you asked to sign did so?—A. I know that every person I asked to sign, signed it.

Q. Had you a list of persons before you started with it?—A. I had not. I had it signed. I had my attention called to some persons whom it was desirous should sign, and I carried it to them.

Q. Do you say that every person who signed it read it through?—A. I did not say that every person signed it read it *verbatim* at all.

Q. It was in manuscript, wasn't it?—A. It was.

Q. Don't you know they did not read it through?—A. I know they did not read it *verbatim*, but I know that a large portion of them that signed it had read it before.

Q. I did not ask that.

Mr. VANCE. I do not think you deal fairly with the witness to try to tangle the witness. He insists on giving the names of the persons and he has a right to do it.

By Mr. LAPHAM:

Q. In some cases the names of firms were signed to it?—A. They were.

Q. By one individual?—A. By one of the firm.

Q. The other members knowing nothing about it?—A. Well, in some cases where it was done I was told that they had been authorized by the other members.

Q. I did not ask that now. I am asking your knowledge, not what you had heard or what you have been informed.—A. Well, that was so. I was told by parties who signed it.

Q. Well, they signed the name of the firm instead of single individuals?—A. They did.

Q. Was not this circular kept secret there in Danville?—A. It was not.

Q. Was it distributed there?—A. It was not distributed generally. Anybody that asked for them could get them, and——

Q. Was it distributed to anybody except Democrats?—A. I could not

tell you that. I don't know whether anybody else asked for them or not, but I know I gave out a good many copies before going from the bookstore to the club room.

Q. Didn't you circulate a notice, or cause to be circulated a notice, warning ladies to keep off the street that Saturday?—A. I did not. There was no such notice circulated that I ever heard. If there was any notice of that kind carried out, I would have been certain to have heard of it. In fact it would have been put in my hands for circulation.

Q. You were a member of the club?—A. I was.

Q. Do you know of the resolution passed refusing to patronize Re-adjusters?—A. I heard of the resolution asking people not to patronize the people on the market.

Q. How long before this was that done?—A. I presume ten days to two weeks before the election.

Q. I understand you to say you did not fire your pistol?—A. I did not have one when there was any shooting going on, nor did I fire one after I got it.

Q. Had not you a promise that you should be made police officer before the election?—A. I had not had anybody approach me with anything of that kind. I should have insulted them.

Q. I did not ask that.—A. Well, that is an answer.

Q. No; it is not an answer.—A. I think you have undertaken in that question to cast a reflection on my character.

Q. I ask simply whether you had not been promised you should have this police office before the election?—A. Well, I certainly answered the question.

Q. From whom did you receive your appointment?—A. I received it from the town council.

Q. Well, that is Democratic now, isn't it?—A. Eleven of them are Democrats.

Q. Eleven out of the twelve are Democrats. What is the pay of the place?—A. \$60 per month.

Q. Were you at the opera house that day?—A. I was not. I had just returned from the country.

JAMES WOOD sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you lived there?—A. I have lived there this is the eighteenth year.

Q. What is your profession or business?—A. I am city sergeant at this time.

Q. How long have you been sergeant of the town?—A. I am in my fourth year.

Q. What are your politics?—A. I am a Republican.

Q. Were you elected as such?—A. I was first elected as an Independent. I declared myself an Independent candidate, but was opposed as being a Republican. I was not nominated by any political party at the first election.

Q. Were you elected by the vote at large or by the council?—A. Elected by the vote at large—the popular vote.

Q. Aside from this time of high political excitement there and trouble, what is the general feeling between the whites and blacks in that town?—A. Well, sir, I think they are very amicable as a general thing.

Q. Their relations are amicable there, as a general thing, between the two races?—A. Yes, sir.

Q. Has there been any disposition until this last heated contest to carry politics into business or anything of that sort?—A. Well, whenever there is a heated contest there is more or less excitement and talk of that character in the town of Danville. I have known several very hotly contested political battles there.

Q. You have had some pretty warm ones, yourself, have you not?—A. Yes, sir; the first time I was elected I was elected by only five majority. It gave me a pretty hard tussle. The second time, however, the people all voted for me. I had no opposition.

Q. Was there any trouble in the first hotly contested election that you had?—A. None whatever—only the struggle for votes.

Q. There was no allegation of violence or fraud or anything of that sort?—A. No, sir.

Q. You think it was a fair election?—A. Yes, sir; I think it was a fair election.

Q. I generally notice that the man who comes out ahead thinks the election a fair one. That was the general impression, you say; there was no allegation of fraud or violence or anything of that kind?—A. No, sir; not at that time.

Q. Were you at home in the city of Danville when this riot occurred?—A. Yes, sir; I was in the city, in my office, when it occurred.

Q. Please narrate all you know about it, from the time the first alarm was given to you and so on.—A. Well, sir, the first alarm that was given to me was the firing itself—the firing of pistols, I suppose it was, from the crowd. I heard one or two shots in quick succession, then followed by a volley almost simultaneously. I started for the scene immediately, as soon as I could get my hat. My office is one square from the main street, and I met the crowd of people just at the corner of Union street, between the Arlington Hotel and the Planters' Bank. It is now on the opposite corner.

Q. That is the old post-office, as they call it?—A. That is the old post-office.

Q. Whom did you meet there—whites or blacks?—A. They were whites, sir, altogether in the street there. They were moving up the street, an excited multitude; they seemed to be surging up the street and looked to me to be very much excited; and of course at first I didn't understand or know what was the matter. As soon as I could comprehend it, I endeavored to discharge my duty as sheriff of the town by commanding the peace and calling upon some good citizens to come to my aid in restoring order. I called for the commandant of the military company, the Danville Grays there, as quickly as I could do so. They responded and came out I think with some twenty or may be twenty-five men, all they had at hand. I stationed them about at the places where I thought it was most important—at the crossings of the streets—and directed them not to allow any assemblages on the street, not to allow any persons to assemble more than three at a place to discuss anything on the street. I took the counsel of some friends as to what course to pursue, and it was my own judgment that if we allowed crowds to assemble, we could not have any peace under the excitement that prevailed at that time.

Q. Didn't you have more than one military company? Didn't you have a colored military company?—A. Yes, sir; we had a colored military company there but I did not call them out. I did not think it was

judicious to do so. I wanted to preserve the peace, and I thought that was the best way—to let them stay where they were.

Q. You called out only the one company?—A. Only the one.

Q. Now, when you called upon the men to aid you—good citizens—in restoring order, what response did you get, and from whom?—A. Well, sir, when I called upon some of the gentlemen privately to aid me they came immediately to my aid, and one gentleman walked through the crowd with me and begged the people to obey me, as I was the sheriff of the town, the law officer of the town, and Colonel Cabell, who is there at the table, was up on that balcony just before the bank—not exactly a balcony, but it is raised from the street—and he addressed the people in a few words, calling upon them to listen to him and to listen to reason and to submit to the officers of the law.

Q. Did you have any trouble in getting quiet?—A. No, sir; I succeeded much better than I expected. It was a very exciting time, but when I called upon the people to obey the law, and told them they would be regarded as rioters and treated as such unless they submitted to my orders, they responded, “We will.”

Q. How long was it before the streets were clear and things were quiet?—A. Order was restored certainly within 30 minutes, I think, after I got there. Every person was not cleared from the streets, of course. It took some time. My first move, after calling out the militia and stationing them about at the different points where I thought they would be the most serviceable, was to close all the drinking houses. I went around and sent around over town to close all the houses where they sold liquor, which was immediately done, and as far as I could in person I advised the colored people to keep off the streets, to go out of sight, telling them at the time that I was endeavoring to preserve the peace, and that they would aid me greatly by getting out of the way and not standing about and caucus about, as they were liable to do.

Q. And add to the excitement?—A. Yes, sir.

Q. Now, all this has been over for some time and you have had an opportunity to look upon it coolly. Looking back at it now, and considering the way in which the thing started, do you not think the people recovered their senses and restored order much quicker than you had any reason to suppose they would?—A. Much more so; much more quickly than I had any idea. They are an impulsive people, but at the same time they are a very law-abiding people, in my judgment.

Q. Their anger didn't last long?—A. No, sir.

Q. You can tell us nothing, of course, about the riot itself—the fighting—you were not present at the time?—A. No, sir; I was not on the streets at the time.

Q. As sergeant of the town, and having more or less to do with its policing from one end to the other, did you see anything that satisfied you, or that would satisfy the committee, that the whites procured this riot to be brought about?—A. Nothing, whatever. I consider it—

Mr. LAPHAM. That seems to me to be hardly competent.

Mr. VANCE. I have put the same question to twenty other witnesses; may be I did not do it in exactly the same shape.

Mr. LAPHAM. Well, the others had some inside knowledge of affairs, members of the Democratic party or council, but this is purely, I should judge, a matter of opinion.

Mr. VANCE. He is a police officer, and I suppose that in that capacity he would have an opportunity of seeing if there was any plotting, or any contrivance, or anything of that sort.

Mr. LAPHAM. I make my objection. If you persist in it, of course it will have to be overruled in the absence of the chairman.

Mr. VANCE. I suppose I had better ask the question and let your objection go down on the record. [To the witness.] You understand the question, please answer it.

A. Please repeat the question.

Q. Can you give the committee any facts tending to show that the Democrats—white people—procured this riot to be brought about?—A. I cannot, sir. I have no idea that they did anything to procure it.

Q. You regard it as a temporary ebullition, originating in that first fight?—A. Yes, sir; that is the way I regard it.

Q. You know, of course, most of the leading citizens of Danville who constitute the Democratic party there?—A. Yes, sir; know them all, I presume, nearly.

Q. Now, I will ask you, with Senator Lapham's permission, if you think they would engage in a conspiracy to shed blood in that way?—

A. I do not think they would, sir.

Q. It is not always possible, I suppose, for the older heads to control hot-blooded boys and young men?—A. By no means.

Q. Neither black nor white?—A. No, sir.

Q. What was the state of things on the day of election?—A. In what respects?

Q. In regard to the freedom to vote.—A. There was no difficulty, as far as I could see, of anybody voting who wanted to vote, and voting just as they pleased. Very few colored people voted, though, or went to the polls.

Q. So I understand. Now, do you think you had such arrangements as would have prevented any trouble if the colored people had turned out to vote?—A. I think so.

Q. Almost every man was on his good behavior naturally after that riot, was he not?—A. Yes, sir; particularly so.

Q. Trying to redeem the credit of the town?—A. Yes, sir. A number of the Democrats co-operated with me to try to induce the colored people to vote.

Q. Your arrangements were unusually cautious for securing order on the day of election, were they not?—A. Yes, sir. We had a strong force appointed, to be about so that in case of any disturbance we could suppress it immediately, and then we had a division partition put up at the polls to keep the two races from intermingling and knocking against each other. We thought that was a source of aggravation, or might be, and we had that arranged so that there would be no cause for any disturbance.

Q. Much has been said here about the fact that all the special policemen who were appointed were Democrats, and many of them had been in the riot there. Why did you not appoint men of other politics on the special police, colored men, and so on?—A. Well, sir, the reason I didn't appoint colored men, was because I thought it would be a signal for a renewal of the fight. I thought that would have the result.

Q. You honestly believed that the way to preserve peace was to put only one race on guard?—A. Yes, sir; and my idea was, even if I made a mistake, to get a man that was violent or a rioter, even; that if I could convert him into a peace officer by putting him on duty I would be doing a good thing.

Q. Did you have confidence in the professions of all those you put on duty?—A. I had.

Q. That is, when you put them on duty to keep the peace you had

confidence that they would keep the peace?—A. I thought, so far as I mingled with them, that they were just as anxious to preserve the peace as I was myself. I saw nothing to the contrary.

Q. There was also a company sent down, I believe, from Richmond, wasn't there, by the governor?—A. Yes, sir; there were two companies you might say. There was a company of artillery and a company of infantry.

Q. Was there really any necessity for that military from Richmond; did you consider there was?—A. At the time that they came I did not think that there was.

By Mr. LAPHAM:

Q. It would not have been safe, in your estimation, to have called out the colored troops, would it?—A. No, sir; it would not have been safe.

Q. It would not have been safe to put only colored people on police duty, would it?—A. No, sir.

Q. Tell the committee why it would not.—A. Because of this excitement and feeling between the two political parties; the one composed mainly—almost wholly—of colored people, and the other of white.

Q. You thought the only way to keep the peace was to put the dominant party in control of affairs?—A. That is exactly my notion of it.

Q. It was not because the colored people would not be faithful to such a trust?—A. Not at all.

Q. Or because the colored military would not have been faithful to such a trust?—A. Not at all.

Q. But you knew that it would aggravate the feeling on the other side, and instead of preventing violence probably lead to it?—A. I thought so.

Q. You say you are a Republican?—A. Yes, sir; I have been a Republican.

Q. Well, there are Republicans in Virginia who are not Readjusters.—A. Yes, sir; I am a Readjuster also.

Q. Did you vote the Readjuster ticket last fall?—A. I did not; only in part.

Q. Have you voted it on any occasion?—A. Yes, sir; I voted for the governor.

Q. But last fall you did not vote it?—A. I did not vote it all. I voted it in part. At least I voted for one man on the ticket.

Q. You were a candidate for the office of internal revenue collector, were you not?—A. Yes, sir; I have been.

Q. Was there not some feeling on your part that you didn't secure that place?—A. Well, sir, I can't say that there was any feeling.

Q. You were disappointed?—A. I was disappointed.

Q. Did you ever see the circular entitled "Coalition Rule in Danville"?—A. Yes, sir; I have seen it.

Q. What was the natural effect of such a paper as that there?—A. There?

Q. Yes.—A. No effect there whatever, that I know of.

Q. Do you think the colored people would not resent it—the Readjusters?—A. Oh, I suppose they would combat it.

Q. Was not the paper grossly offensive to them as a party?—A. Well, it was offensive.

Q. It wasn't a true statement of the condition of affairs, was it?—A. Well, sir, it was neither true nor untrue in toto.

Q. No, perhaps not in toto, but wasn't it exaggerated—an exag-

gerated story?—A. There were some exaggerations, I thought, but founded on fact.

Q. Many, were there not? Do you say that the description given there of the market is a truthful one?—A. Well, I don't remember exactly what that description is.

Q. I will read it to you:

The market, once occupied in all its stalls by polite white gentlemen, with their clean, white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves. The white men have been driven out and forced to take up private places for vending their meats and vegetables, and the public market, erected by the money of the white people, and intended to be occupied by men at least courteous and cleanly, has been converted to the use of squalid negro hucksters, and presents a spectacle of loathsomeness positively repulsive to any person who has the least idea of how a market should be kept.

The WITNESS. Well, I think that is an exaggerated statement of the facts, but it was not a nice market.

Q. Did you swear any of the policemen you appointed?—A. I did not.

Q. Were there any appointed by any one else?—A. They were appointed by the mayor. All of those, or nearly all, were sworn.

Q. Do you know whether they were sworn?—A. Those that the mayor appointed he swore. I saw him swear in some of them.

Q. How many did you appoint?—A. Well, I couldn't tell.

Q. Did the mayor inform you that the extra policemen he appointed were not sworn?—A. He did not so inform me. If he had I would have known it wasn't so, for I saw him swear them.

Q. How many additional policemen were appointed?—A. Well, sir, I have no record of it; I presume there were twenty or thirty appointed on the Saturday evening of the riot.

Q. How long were they continued?—A. They continued until they were relieved. They were relieved alternately, you know, and some continued longer than others.

Q. How long was the police force kept up?—A. The police force was kept up until Tuesday morning.

Q. Until after the election, wasn't it?—A. Yes, sir; part of them were kept up until after the election, until Wednesday morning, until the troops left.

Q. It wasn't altogether a peaceful condition of things, then? You had to keep a police force there three or four days?—A. Well, it was precautionary.

Q. Most of them were persons who had something to do with the riot, were they not?—A. I am unable to say about that. I think that the majority of them were persons whom I found in the street there when I first approached Main street.

Q. And who took more or less part in the riot?—A. They were convenient to be summoned——

Q. Was Lea one of them?—A. Yes, sir; both the Mr. Leas; there were two Mr. Leas.

Q. Was Taylor one?—A. He may have been summoned. I don't remember of summoning him myself. My deputy summoned some.

Q. Captain Graves?—A. Yes, sir, I think he was one.

Q. Was Cobb—I think that is the name?—A. Cobb. Yes, sir; I think he was.

Q. Do you remember that any Readjuster was appointed on that force?—A. No, I don't remember any, because we didn't have many to appoint.

Q. You said you didn't think it safe to put any more than the people

of one party in power?—A. I didn't think it safe to put colored men on.

Q. How about Readjusters?—A. Oh, yes, I would as soon put Readjusters as anybody.

Q. How did it happen that you didn't appoint any?—A. I didn't find any, I don't think. I may have summoned some Readjusters, perhaps.

Q. Now, if I understand you, the demeanor of the colored people towards the whites, as a general thing, is respectful and defferential?—

A. Yes, sir, as a general thing it is, as far as I know.

Q. There have been occasions prior to this when there was excitement between the races?—A. Yes, sir.

Q. And efforts to withdraw support or patronage from the colored people, have there not?—A. Well, I don't know to what extent efforts were put forth.

Q. To some extent?—A. To some extent, I think it was.

Q. Last fall there was a very studied effort to take patronage away from them?—A. I only knew it by hearsay.

Q. Well, you so understood?—A. I understood so.

Q. Did you ever know the race line to be drawn as it was last fall?—A. I have never known as much bitterness as there was last fall.

Q. When was it you were elected without any opposition?—A. In 1882.

Q. Two years ago?—A. Two years ago.

Q. You received the nomination from both parties, did you not?—A. Yes, sir; not from both parties either, I must correct that.

Q. Well, you were nominated by the Democrats?—A. No, sir; I was not. I was nominated by the Coalition party, and then indorsed in a citizens' meeting composed mainly of Democrats.

Q. They didn't put a candidate against you?—A. No, sir.

Q. You were examined before the committee of forty?—A. Yes, sir.

By Mr. VANCE:

Q. You were asked if you had not applied for a position in the revenue department. I will ask you when that was?—A. Well, I didn't make a formal application, but it was understood that I was an applicant. I made no formal application at the time that I think Judge Lapham refers to, which was just prior to the last. Well, it was in 1882. I think the appointment was made in 1882. There was a vacancy, and filled in 1882.

By Mr. LAPHAM:

Q. Was that when Mr. Raulston was appointed?—A. That was when Mr. Raulston was appointed.

WASHINGTON, D. C., *Tuesday, April 1, 1884.*

W. A. COOK sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville.

Q. How long have you lived there?—A. About seven years.

Q. What business do you follow?—A. I am a policeman.

Q. Are you such now?—A. Yes, sir.

Q. Will you tell us what you know about the riot in Danville?—A. Well, sir, I didn't see the commencement of it; I came off duty that

morning and went to my room, took a nap of sleep, and that evening I was called up to the mayor's court at 3 o'clock, and while I was in there, about half-past 3 o'clock, there came in a man by the name of Bennett who said they were fighting over on Main street. My chief, Jim Hall, told me to go over there as quick as I could get there and ran, as hard as I could over to Main street, corner of Wiseman's drug store, and when I got there I saw a very large crowd down the Main street gathered there, probably two hundred or two hundred and fifty colored people in the street. I then took my time and walked down there; I thought it was probably nothing more than a fist fight. About the time I got midway there they opened fire; I could not tell who opened fire; but there was firing done on both sides.

Q. What was the character of the crowd; men, women, and children?—

A. I didn't see any women at all; but I saw some boys.

Q. Did you see how many white people there were?—A. Well, no, sir; not particularly I didn't; a small crowd, though. As soon as the firing commenced, that is before it was over, the crowd commenced to scatter, and there was such a stir with them running that I suppose it was difficult for a man to get away, but I got on the sidewalk as quick as I could, and when I got on the sidewalk I met two men with Mr. Walter Holland, and I went with them up to Mr. Guerrent's store. When I got back on the street again everything was still. Then I got orders to go around and order all the whisky houses to be closed up, which I did, or as many of them as I possibly could. There was two or three of us detailed for that purpose.

Q. You had not quite got to the center of the crowd before the firing began?—A. No, sir.

Q. Now, you stated that they fired from both sides—the whites and blacks. Are you sure of that?—A. I am, sir.

Q. Did you see any colored men fire?—A. I can't say that I saw any colored men fire or whites fire; but they were firing from each side.

Q. You are sure you saw firing coming from both sides of the crowd?—A. Yes, sir.

Q. Did you notice any individual men with pistols?—A. No, sir; I didn't.

Q. White or black?—A. I did not.

Q. You were among the colored people, were you not?—A. Yes, sir.

Q. Were you on the sidewalk or in the street?—A. Right in the street, and what white men there were, I suppose, were on the sidewalk.

Q. You were right in the condition, then, to receive their fire?—A. Of course.

Q. You got away as soon as you could?—A. Of course I did; I made my way to the sidewalk as soon as I could.

Q. And you met some men with Mr. Holland?—A. Yes, sir; and went with them into Mr. Guerrent's store, and I went from there and was detailed to see the liquor houses all closed up.

Q. Did you hear any bullets whistle by you?—A. Yes, sir; I could hear them whistle by.

Q. Did you notice any impressions of the bullets on the walls and doors afterwards?—A. I saw some scars of balls on the barber shop there, I think right close by Woolfolk & Blair's office.

Q. Just below?—A. Yes, sir.

Q. Apparently, where did those shots come from?—A. I think they came from the street.

Q. From the direction of where the colored crowd was standing?—A. Yes, sir, of course; I don't see how else they could come.

Q. They could not have come from the white people, unless they had turned and fired the other way?—A. No, sir.

Q. Backwards?—A. Yes, sir.

Q. You did not get up in time to see any one trying to preserve the peace?—A. I did not.

Q. Did you hear anything said by any of the crowd; any remarks made by anybody?—A. I did not.

By Mr. LAPHAM:

Q. How near were you to the scene of firing when it began?—A. I was right up in a crowd of darkies.

Q. Now, could not you tell from which way the firing first came?—A. That is what I said; I could not tell who opened the fire, but there was firing in front and behind me; balls coming each way.

Q. Could not you tell from which direction the firing came first?—A. No, sir; I don't know that I could.

Q. Have you no belief about it?—A. There was so much excitement and I was excited; I could not exactly tell; I would not like to say.

Q. Don't you know that the whites fired first?—A. They might; it might have been; I cannot say they did or did not.

Q. Why, you were right there where you could see?—A. I was right in the crowd, I know I was, but I could not positively say which fired first.

Q. It was the firing of the whites that led you to retreat from the street to the sidewalk?—A. No, sir; it was the crowd. When they commenced firing the crowd commenced running, and I then made my way to the sidewalk as quick as I could.

Q. Exactly. There was nobody firing upon that crowd except the whites, was there?—A. There was firing in front and behind me, too.

Q. Was there anybody firing upon the crowd in the street where you were except the whites?—A. From the street?

Q. You were in the crowd in the street; now, was anybody firing into that crowd except the whites?—A. I cannot say that there was.

Q. How many shots do you think they fired?—A. I think from the reports maybe fifty or sixty shots fired.

Q. Were they fired in quick succession?—A. Tolerably quick.

Q. Some witnesses have described it like firecrackers going off one after another; do you concur in that description?—A. It was right quick succession, I thought.

Q. Rapid shooting?—A. Yes, sir.

Q. They were revolvers, were they not?—A. Yes, sir.

Q. They were not guns?—A. I didn't see any muskets.

Q. You did not see any white men with revolvers?—A. I don't know that I did until after the firing was over. I saw some walking up the street with them.

Q. Who?—A. I saw Mr. Barksdale for one, I think, if I am not mistaken. I could not tell exactly who they were. I was in the store, and when I got out of the store where they carried Mr. Holland in it was a very few seconds before I was detailed.

Q. You went away to other business?—A. Yes, sir.

Q. Was there no firing after that?—A. I didn't hear any.

Q. Well, you went about the city to close the saloons?—A. Yes, sir.

Q. You would not have been apt to hear the firing if there had been any, would you?—A. Yes, sir; I suppose I would.

B. F. WILLIAMSON sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. Danville.

Q. How long have you lived there?—A. I went there in 1879, and I have been there since.

Q. Where did you go from to that place?—A. I went from Ruffin, N. C.

Q. Where were you on the day of the riot which occurred on the 3d of November?—A. I was in our store.

Q. What store was that?—A. B. W. Graves' store.

Q. Where is that situated, with reference to Woolfolk & Blair's office?—A. Almost directly in front of it—not directly either—Woolfolk & Blair's is one door above H. F. Vass'; Vass' is directly in front of our door.

Q. Then, standing in front of Woolfolk & Blair's office, and looking straight across the street, your store would be a little to the left?—A. Yes, sir; a little to the left—just a little.

Q. Opposite the next door to you?—A. Yes, sir.

Q. Directly opposite the next door to you?—A. Yes, sir; one door above us would be in front of Woolfolk & Blair's.

Q. Well, you were in your place of business?—A. Yes, sir.

Q. At that time?—A. Yes, sir.

Q. State what you saw, if you please.—A. I saw the fight between Noel and Lawson.

Q. Did you see the beginning of it?—A. I saw the beginning, yes, sir; and the ending of it.

Q. State how it took place.—A. When I first saw Noel he was approaching a crowd of negroes, about fifteen men, I think; at least they were approaching him—coming together.

Q. One going up street and the other coming down?—A. Yes. Mr. Lea and another gentleman were with Mr. Noel; I didn't know the man—but I think his name is Taylor. They met. The negro and Noel commenced to fight just as soon as they met. It seemed that they understood that they were going to fight.

Q. Just went right at it?—A. They went right at it. Mr. Noel got the best of him, and fought him right hard for a good while. He got the negro by the collar, and, being long in the arms, he held the negro off and knocked him with his fists considerably. Mr. Lea and this other gentleman were standing by as the negroes rushed. When Noel first hit the negro, there was a negro standing across the street where we were, with another crowd of negroes, and he commenced hollering murder, and he hollered murder clean across until he got there, and that seemed to rally a great crowd of negroes, and by the time this negro got there I think there were a hundred got there with him; and in a few minutes—in less than half a minute—there was 150 or 200 negroes there. It seems that they understood it perfectly. The negro that Noel was hitting didn't say anything at all.

Q. He did not do the "hollering"?—A. He didn't speak, that I know of. But it was evident that the negro that was running right within less than 10 feet of me was doing the hollering.

Q. Did you know the negro who was doing the "hollering"?—A. I did not; I did not hardly know any of them.

Q. But you are sure it was not the one that was fighting?—A. I know it was not.

Q. Now state how they were separated, and so on.—A. They fought

a little while, and a negro policeman by the name of Adams came up, and I don't think they let him part them right straight; but after a little while Mr. Jeff Corbin said he had whipped him enough, or something to that effect, and let him loose. Corbin took hold of him and let him loose. Mr. Noel went across the street to wash his hands. In the mean time Mr. Lea had his pistol up, and this other man, and the negro that ran from our store across slipped up behind Mr. Lea and grabbed his pistol.

Q. What was his name?—A. George Adams.

Q. Was he in the store when the fight was going on?—A. He was in the store when it started. He passed me at the door, and told me he wanted to pay his account. I sent him down to the bookkeeper to pay his account. I don't think he paid it. He had just got down there when the fight took place, and he slipped by me and ran across and grabbed Mr. Lea by the pistol and then they both fell to the ground.

Q. How did Adams come up to Lea; in the front or rear?—A. In the rear—went around. Mr. Lea was standing with his face down the street, and Adams went around the crowd of negroes as hard as he could run, crawled right around and grabbed his pistol that way [indicating]; nobody else could see it, except the negroes in front, of course. They did not say anything; they wanted to get the pistol, and of course they were not afraid to go on him after they got the pistol away from him.

Q. This man Adams swore here that he seized the pistol because Lea put it in his face.—A. Adams swore there to something that was not correct.

Q. You saw it?—A. I saw it; and Mr. Lea did not know that Adams was within a mile of him until he had got hold of his pistol. I know that positively; I was looking as straight at him as I am at you now.

Q. Was Lea presenting it at anybody particularly?—A. No, sir; just holding it above his shoulders, and just told them they had to stand off Noel, and nobody must touch him; they were fighting fair, and they were going to see them fight.

Q. Now, you say by the time it was pretty well over, that is that they were separated and the pistol had gone off in the scuffle, that there were some 200 negroes gathered there?—A. From 150 to 200 negroes; that is my estimate. There may have been more or less.

Q. How often did that pistol go off; how often was it fired?—A. At that time?

Q. Yes.—A. Only once.

Q. Adams swears that Lea shot at him twice.—A. He didn't shoot at him at all.

Mr. LAPHAM. I think you are mistaken there, Mr. Vance.

Mr. VANCE. I reckon not; I have the testimony here, page 225:

Q. With what?—A. With a stick, or whip-staff, or something of that sort. I don't know what it was, but it didn't hurt much, and when I fell I turned a somersault, and Lea shot at me twice.

The WITNESS. When they fell, I think they both fell together. Adams was the strongest man, and pulled him down; but did not get his pistol, I don't think. If he did, it dropped on the ground and he picked it up again.

Q. Shot at you?—A. Yes; and I run about a hundred yards and they shot at me again, and another fellow was running right at my side.

Q. Who shot?—A. Mr. Lea.

Q. That makes three times that Lea shot at him as he ran off. That not so, is it?—A. That is not so.

Q. Now, did you see anybody, after the scuffle and the fist fight were over, trying to disperse the crowd and to keep the peace?—A. There was two policemen, besides Mr. Oliver, I believe it was, captain of the Danville Grays, and some others.

Q. Did you see Mr. Booth?—A. I remember seeing Mr. Booth. I think he was the first man got there after Noel and this negro had the fight. Mr. Booth was taking an active part in trying to get them to disperse.

Q. Did you hear Adams, or any one, say anything about Lea, the man who had shot?—A. As he fell and the pistol went off Adams run a little ways and came back; nobody else ran, and he didn't run only to get around in the crowd—he was on the other side; he was on the wrong side; he was not with his party, but had gotten out by going around for that pistol, and came around in it, and when he got back he charged they were trying to shoot him, and said that “there was the damned rascal that had the pistol.”

Q. The damned rascal that had the pistol?—A. Or grabbed it, and “if I had got it I would have killed him.” I don't know whether Adams had a pistol when he went around there, but he came back with a pistol in his hand.

Q. You say Adams had a pistol in his hand when he came back?—A. When he was doing that talking; yes, sir.

Q. Did he seem to be trying to excite the crowd or disperse them?—A. He was trying very much to excite the crowd.

Q. Did you go out, or did you stand in your door?—A. I stood in the door.

Q. You stood in the door and saw it all?—A. I stood in the door in order to protect the property there in the store. The crowd was getting pretty thick around in front of the door, and the negroes tried to rush in there at one time.

Q. You saw the first firing after that, I suppose, did you? The general firing, you saw that?—A. Yes, sir; I was still present.

Q. Will you state who did that firing?—A. I think that all the parties did that firing, on both sides.

Q. Are you confident that there were any return shots from the colored people?—A. Yes, sir; I know they were shooting from both sides.

Q. Did you see any colored man with a pistol, except George Adams?—A. I saw several have pistols.

Q. Can you give us the names of any of them?—A. I cannot; it is hard to tell them; they look very much alike; unless you personally know them you cannot tell them in a place where there are so many as we have there.

Q. You are confident that you saw several others besides Adams have pistols?—A. Yes, sir.

Q. And you are confident that you saw firing from the ranks of the blacks towards the ranks of the whites?—A. Yes, sir.

Q. You cannot be mistaken about that?—A. I cannot.

Q. Well, how many white men did you think were there when that firing began?—A. Not more than fifteen white men.

Q. Where were they standing?—A. They were standing in front of Woolfolk & Blair's office.

Q. Close together?—A. Pretty close.

Q. In a group?—A. Yes, sir.

Q. With their backs towards the office?—A. Yes, sir.

Q. And this large crowd of colored people in front of them?—A. Yes.

Q. Did the crowd of colored people seem to be pressing up?—A. Very much, until they all ran.

Q. Until the firing began?—A. Yes; until after the firing began; they did not run directly.

Q. You say they were angry and excited?—A. Yes, sir; they seemed to be, the bigger portion of them.

Q. They did not run immediately on the presentation of the pistol?—A. The first firing was general. I don't think it was directly shot at the negroes.

Q. You don't think it was directly shot at the negroes?—A. No, sir.

Q. You think they fired up over their heads?—A. Yes, sir; if it was directly shot at the negroes, and there were 15 shot, it would have killed 15 negroes.

Q. They could not have missed at that distance?—A. Could not have missed them.

Q. How close did the white men seem to be to the curb?—A. As close as from me to that book-case over there.

Q. Now, did it appear to you that there was any necessity for those white men to fire in self-defense?—A. Well, sir, I believe if they had not fired those negroes would have killed them, even if they had not a pistol or stick. They would have mobbed them to death with their fists or feet if they had not got anything else.

Q. It is your opinion that it was actually necessary for them to fire?—A. I think so.

Q. Do you think they fired any longer than it appeared to be necessary?—A. No, sir.

Q. After the colored men had given ground and ceased to fight them, did they cease?—A. They stopped immediately. The firing was so short that I could hardly mention the time. As soon as they broke and run, there was not a man run any distance at all after them.

Q. There was no pursuit?—A. None at all. By that time the crowd had come out of the opera house and were mostly going up the street. Colonel Cabell got out there, and I think talked to them; made a little speech; stopped them and talked to them; told them to go on to the hall there, and somebody appointed officers and put most of them on guard that way.

Q. Did you see any colored men fire as they ran?—A. I don't know that I did.

Q. Do you know anything about the habit of the colored people as to carrying arms there in Danville?—A. I think the most of them carry arms.

Q. What proof have you of it; can you give any instances?—A. I have seen them.

Q. You have seen some of them with pistols?—A. Yes, sir; I have sold some of them arms.

Q. What kind of a store was this in which you were?—A. General merchandise. We generally kept pistols in the show-case, and sold them.

Q. And you sold them to colored people?—A. Yes, sir.

Q. Did you ever see any colored people except those to whom you sold pistols carrying them?—A. I saw two days before the riot in Mr. Graves' lumber-house two negroes with them. Mr. Graves had in his lumber-house a lot of tobacco that he had left on hand that he wanted worked up, and he sent seven or eight negroes up there to do it. I went out that night to close up the lumber-house, and there were two of them went to put on their coats, and they reached under a pile of tobacco

where they had their pistols hid all day, and they took them out and put them in their pockets and went on out.

Q. Two of them?—A. Two of them. One of them came in with his pistol in his outside pocket, after he knew that I saw he had it; put it in his outside pocket.

Q. Did your house have a wagon and driver to carry packages?—A. Yes, sir.

Q. What was the name of that driver?—A. I think he called his name John Holderness. May be it was some other name; I don't keep their names straight. It is John something. He gave in evidence here, I notice. I would like to contradict it.

Q. You say his name was John Holderness; listen to his testimony, if you please:

Q. Did you go into the store?—A. Yes, sir; I went in. He opened the door, and I went in and shut the door then behind me.

Q. I am inquiring now of the last time you went there before the affair.—A. Yes, sir; I went there. I reckon it was fifteen minutes before.

Q. Before the shooting began?—A. Yes, sir.

Q. Where did you go?—A. I went to the back door, where I always go with my horse, and I found the door fastened; the store was fastened up.

Q. Had you ever found it so during the day?—A. Not at that time of day.

Q. What did you then do?—A. I shook the door, and one of the clerks came down. Mr. Williamson, a clerk of the store, opened it, and I asked him, I says, "Mr. Williamson, you are all shutting up very soon; what is the matter?" He says to me, "Well, hell is to pay," and there would be more dead men directly than I ever saw. That astonished me; I didn't know anything about it and was not thinking about it.

Q. Did such a conversation as that occur between you and John Holderness?—A. No, sir; John Holderness came to the door about the time of the row; I think it was after the shooting. I don't know what time he came, but he came to the door, and I ordered him to fasten up all the doors because the crowd was coming around, and we wanted to shut up anyhow. We did shut up and did not open any more during the day. I did not speak to him in any such manner as that.

Q. Then that is not correct?—A. No, sir; I am the man that ordered him to shut up the house.

Q. (Reading:)

Q. Did you go into the store?—A. Yes, sir; I went in. He opened the door, and I went in and shut the door then behind me.

Q. What did you notice about the condition of things in the store?—A. When I got in the store I found the clerks were in there as usual, and I found the counter full of pistols and guns, and that was an astonishing thing to me—the same kind of pistols they had in the show-case, and the guns were lying out on the counter.

Q. How many in all?—A. I have no idea, but I suppose on the counter, I reckon, about 8 or 10 feet, was full of them.

Q. You can tell something about the number?—A. I don't suppose there was not any less than about two hundred or something of that kind; I didn't count them.

Is that correct?—A. That is the biggest one I have heard; there have not been two hundred pistols in the store in two years.

Q. This was all before the riot took place; some fifteen minutes, he said.—A. Before the riot took place he was not in the store. At the time of the riot I brought him in to keep him from getting hurt; brought in two other negroes there; one of them was John Maryland and the other Dave Hunt. If you will have them summoned here they will make a statement. There was not a single pistol on the counter, nor a gun; there were two pistols loaded afterwards for Mr. Burch and myself, and they were the only two that were loaded. Mr. Burch is a man that helps us out Saturday evenings; he came in with me and went with me up to my house.

Q. That was after the riot?—A. Yes, sir; there were not more than

a dozen pistols in the show-case in the house; there were only four taken out, and that was by Mr. Burch and myself; there was not a pistol on the counter, nor a gun.

Q. You say there were not a dozen in the house?—A. And they were in the show-case.

Q. And you say there were none taken out of the case and they were not loaded?—A. And there was not one taken, except by Mr. Burch and myself, unless Mr. Graves got one. I don't know whether he did or not; I don't think he did, though, because he came in the house a little after the riot was all over. Will you read a little further? I want to hear what he said about Mr. Burch.

Q. I was trying to find that.

Q. Do you know whether any of them were loaded?—A. Yes, sir; I know some of them were loaded, because I saw, I looked at them. I went right up there and was standing looking at them, and saw they were loaded. In the mean time, while I was standing there looking at them (I suppose it was about ten or twelve minutes, and maybe it might have been fifteen, or something of that kind; I don't exactly know the minutes), the shooting commenced right in front of the front door; and a few minutes after the shooting commenced, then there was a young man, or middle-aged man, Mr. Burch his name is, came in with two pistols in his hand. There was some seven or eight, or maybe more than that, colored people had run in the store out of the way of the shooting—run in the front door. He came in with two pistols in his hand, and he looked down the gangway of the store and saw us all in there. I was in there myself. He laid those two pistols down on the counter, and picked up two more. That is how I came to know they were loaded; and got back behind them and ordered them all out.

Q. Ordered them out into the street?—A. Yes, sir.

Q. What did he say or do?—A. When he got his pistols, and got back behind them, between them and the back door, he says, "Now, every one of you radical sons of bitches get out of here. If you don't I am going to kill you." And the darkies all commenced running out, as people would do out of the way of shooting.

What about that?—A. That is not true. Mr. Burch didn't bring a pistol in there, nor never used one.

Q. Did he order the negroes out of the store?—A. He helped me shut the front door. About the time that the crowd——

Mr. LAPHAM. Answer his question.

Mr. VANCE. The witness is under my control.

Mr. LAPHAM. Yes; but I object to his answering something else when he is asked a specific question.

Mr. VANCE. If it satisfies me it ought to satisfy you.

The WITNESS. I say that he came at my request, and we were trying to shut the door. It is a very large door, opens 10 feet, I reckon, maybe 8 feet; and the crowd, as he and I thought, were coming in there for some purpose, probably to take what few pistols we had. There was nobody else there; all the white men that were there were on the other side of the street; and we were trying to shut that door. Neither Mr. Burch nor I had anything; and the negroes were coming in, and we were trying to keep them out, and as we did so we sort of pushed one of them between the door and hurt him a little, trying to keep them from coming in.

Q. Did you drive out those that were already in?—A. No, sir. There was not but three in there, and they staid there until it was all over.

Q. The driver was one of them?—A. Yes, sir.

Q. And there were two others?—A. Yes, sir; John Maryland and Dave Hunt. I would like to have them summoned. I think they would tell just like I do.

Q. He says there were seven or eight or more than that came running in, and you say that was not true, that Mr. Burch did not drive them out?—A. No, sir; he did not; never attempted to drive them out either.

Q. What is the name of the other colored man?—A. Dave Hunt. He lives about a mile or two from town.

Q. (Reading:)

Q. Was the firing going on in the street?—A. No, sir; the firing had ceased out in the street; and I said to him, "I ain't going out there, because I belong in here. I am in Mr. Graves's employ, and I am not going out." He said to me I was a liar; I didn't. I was standing right in front of Mr. Graves. I wanted him to speak; thought it was his place to speak, which I told him I thought it was; but he did not say a word. But Mr. Williamson, one of the clerks, came around and says to Mr. Burch, "Captain, this man belongs in here; let him stay in here; and all the rest of these sons of bitches, drive them out. They started it, and they shall not harbor in here."

Was that true?—A. Mr. Graves was in the opera house then.

Q. He was not in the store at all?—A. No, sir; he came in the store afterwards.

Q. Did you make that remark, "let him [that is, the driver] stay in here, and all the rest of these sons of bitches, drive them out"?—A. No, sir.

Q. You did not?—A. No, sir.

Q. (Reading:)

Q. Did he (Birch) have a pistol in each hand?—A. Yes sir; he didn't only have them in each hand, but had them cocked. They were self-cockers, and he had both fingers on the trigger.

What do you say to that?—A. If they had been self-cockers, and he had them cocked I should think they would have gone off.

Q. Of course these self-cockers fire by just pulling the triggers?—A. Certainly.

Q. (Reading:)

Q. What did he say?—A. He just made the remark as soon as he got behind the colored people, "Every one of you damned radical sons of bitches get out of here." He says "If you don't I am going to kill you. You started it, and you shall not harbor in here." That is the words he said.

You say that is not correct?—A. No, sir.

By Mr. LAPHAM:

Q. How long have you known Mr. Adams?—A. George Adams? I have known him about a year or two.

Q. What was he paying you money for on that day?—A. Store account.

Q. You have forgotten whether he paid it or not?—A. I told you that he didn't pay it. He went down to pay it, but did not pay it.

Q. He went out of the store by reason of this disturbance?—A. Yes, sir; he went out there.

Q. Who was he employed by?—A. I don't know, sir.

Q. Don't you know what his business was?—A. I do not.

Q. Don't you know that he was a teamster for the brewery?—A. I knew that he was not a teamster for the brewery.

Q. Don't you know that Adams drove a beer wagon?

Mr. VANCE. I think, Mr. Lapham, that you are mistaken in the man.

Mr. LAPHAM. Perhaps I am. If I am you can tell me.

The WITNESS. George Adams is the one I told about running after the pistol.

Q. Was it George Adams that tried to take the pistol from Lea?—A. Yes, sir.

Q. And you have known him for two years?—A. Yes, sir.

Q. He is a large man, is he not?—A. Very large.

Q. Was he not a peaceable man?—A. He was considered one of the

rowdiest negroes in the country. He tried to kill a negro there for voting the Democratic ticket. He has got a case in court now.

Q. Do you know it?—A. I know the case in court; I have heard him say so.

Q. How long had you known John Holderness?—A. Just a short while; he was just staying there in the place of a negro we had who was sick.

Q. How long?—A. Staid there two weeks, I reckon.

Q. How long had you known him?—A. I had not known him at all before he came there.

Q. Is he in the employ of Mr. Graves yet?—A. No, sir.

Q. When did he leave?—A. He left about a week after the riot, I suppose; he came about a week before and left a week afterwards.

Q. Now, can you give any conversation that took place when Holderness came in; you let him in at the back door, did you not?—A. I don't know whether that door was fastened or not.

Q. You let him in at the back door, did you not?—A. He came in the back door.

Q. Didn't you let him in, and haven't you testified that he went to the back door, and that you ran and opened it?—A. No, sir.

Q. You did not say that?—A. I don't think I said so.

Q. All right. Was it not so in fact?—A. I do not think I have said it.

Q. I ask you if it was not so in fact, that you went to the back door and opened it and let him in?—A. I can't answer that question.

Q. Well, now, can you tell anything that was said by you after he came in; do you remember anything that you said?—A. Well, in a little excitement that way——

Q. Do you remember anything that you said? That is my question now, and I want an answer to it.—A. I don't know whether I remember anything directly that I said or not.

Q. You can't repeat anything you said, can you?—A. Well, I can repeat that I went out and took his horse out I know afterwards.

Q. But I don't want that now; I want to keep you in that store.—A. Keep me in there?

Q. Yes, keep you in there. Do you remember anything he said there after he came in that you can now repeat?—A. Well, I don't know that I remember anything.

Q. That answers it. Do you remember anything that Burch said?—A. Burch didn't say anything much. He helped me put those negroes out of there. He didn't say anything special, I don't think.

Q. Do you remember anything that Burch said after he came in there? Now I want an answer to that question.—A. Do I remember anything he said?

Q. Yes.—A. I don't know that I remember anything of importance he said.

Q. Very well; that answers that. You said you helped Burch put the negroes out?—A. Burch helped me put them out.

Q. How many?—A. Six or seven. They didn't get in; just started in; did not get in the door; eight or ten probably.

Q. Now, at what time did you go to the door of your store? Whose store was it, by the way?—A. B. W. Graves'.

Q. Captain Graves, as he is called?—A. No, sir; it is not Captain Graves; some call him captain, but he is not captain.

Q. What is his business?—A. Merchant.

Q. You kept arms for sale there?—A. We kept a few there.

Q. Do you remember how many you sold within two months of the riot?—A. We did not sell many.

Q. Do you remember how many. Why cannot you answer my questions?—A. I do not remember.

Q. Well, that answers my question. You know you sold some, don't you?—A. Yes, sir.

Q. Were they revolvers?—A. They were.

Q. Smith & Wesson?—A. No, sir.

Q. What were they?—A. They were cheaper; generally the bulldog was the best pistol we had in the store.

Q. You did not keep any Smith & Wessons?—A. No, sir.

Q. What guns did you keep?—A. We kept a few muzzle-loading guns, common guns; they are in the show-case.

Q. Did you keep ammunition in the store?—A. No, sir; there has never been a load of ammunition in the store, unless it was brought in by some farmer in his pockets.

Q. Did you have cartridges?—A. No, sir—pistol cartridges?

Q. That is what I am asking.—A. I thought you asked about guns.

Q. I didn't say anything about guns; I asked if you kept ammunition.—A. We keep pistol cartridges, but do not keep any ammunition for the guns.

Q. How many pistols did you and Burch load?—A. After the riot?

Q. Yes.—A. We loaded two apiece.

Q. What did you do with them?—A. We went up to my house, nearly a mile, and carried them with us up there.

Q. Each of you went with two pistols?—A. Yes, sir.

Q. Five-shooters?—A. I think they were.

Q. Didn't you have a pistol before that?—A. I did not. I had a pistol at home before that.

Q. No; I mean when standing there in the door?—A. No, sir. I didn't have time to load a pistol.

Q. I did not ask you that.—A. I didn't have one in my pocket, and did not have one except it was in the show-case, unloaded. I got them out afterwards and loaded them.

Q. Did you fire a pistol that day?—A. I did not.

Q. You testified before the committee of forty, didn't you?—A. Yes, sir.

Q. Did you tell the same story there that you have told here?—A. I may have told more of it here. I was only in there a few minutes. I did not think there was anything of it. I tried to do it as near as I could.

Q. Did you not testify there that before the fight between Noel and Lawson was over there were 500 negroes there?—A. No, sir; I did not.

Q. You did not swear to that?—A. No, sir.

Q. You signed your deposition, did you not?—A. I did. I didn't sign no 500 negroes, though.

Q. Did you not testify there, "I don't know how the firing commenced, but the cursing by Adams was going on when it commenced"?—A. I did.

Q. Now, do you not know who fired first?—A. I do not.

Q. You stood looking right on there and cannot tell who fired first?—A. I can't tell. The firing was pretty close together, all of it; all the firing was pretty close.

Q. Adams said, "There's the damned scoundrel who had the pistol I tried to get, and if I got it I would have shot him." You said that?—A. I think I stated that just now.

Q. Now, did not you say that "There wasn't over 15 white men present and about 150 to 200 negroes. Before the fight between Noel and Lawson was over there were 500 negroes present." Didn't you testify to that?—A. I did not; my calculation has been 250 negroes all the time; from 150 to 200 negroes.

Mr. LAPHAM. Governor, I will put his deposition in in this connection.

Mr. VANCE. It is in now, I believe.

Mr. LAPHAM. I thought so; but Senator Sherman said it was not.

Mr. VANCE. Very well; let it go in.

Mr. LAPHAM. I simply put in his testimony on page 17 of the report of the committee of forty. It is as follows:

B. F. WILLIAMSON, being duly sworn, deposes and says:

When Noel and Lawson first commenced the fight, George Adams, a colored man, was standing in our store paying us some money. He ran out and across the street to where George Lea was standing with a pistol, and slipping behind him he grabbed it, when they had a scuffle, each trying to get possession of the pistol. Adams got Lea down on the ground, and in the scuffle the pistol went off. The negro jumped up and ran off, and in a few minutes he came back to the crowd of negroes and tried to urge them on Lea, and was cursing, saying, "There's the damned scoundrel who had the pistol I tried to get, and if I had gotten it I would have shot him." He was trying to get the negroes to attack. There wasn't over fifteen white men present, and about one hundred and fifty to two hundred negroes. Before the fight between Noel and Lawson was over there were five hundred negroes present. Noel had no stick or weapon in the fight. I don't know how the firing commenced, but the cursing by Adams was going on when it commenced. I saw lots of negroes with arms.

B. F. WILLIAMSON.

Q. Could you see Noel and Lawson from where you stood?—A. Could I?

Q. Yes.—A. Yes, sir.

Q. How far were you from them?—A. They were on one side of the street and I was on the other. I don't know how wide the street is; 30 feet, I reckon; maybe wider than that.

Q. How long have you been a clerk in Mr. Graves' store?—A. I have been there since 1879.

By Mr. VANCE:

Q. Senator Lapham asked you if you could remember anything that you said or that Burch said in the store, and you said, "Nothing of importance"?—A. Yes, sir.

Q. You can remember what you did not say, cannot you?—A. Well, I think I can.

Mr. LAPHAM. That is hardly a re-examination.

Mr. VANCE. I should like to know what you call it.

Mr. LAPHAM. He has answered you on that point, that he did not say the specific things you called his attention to.

Mr. VANCE. Well, I wanted to strengthen his testimony in the respect where you attacked it.

Mr. LAPHAM. I only attacked it by showing that he did not remember what he did say.

Mr. VANCE. Well, I want to ask if he has any difficulty in remembering that he did not say such things.

Mr. LAPHAM. Well, that is hardly a re-examination.

The WITNESS. There was nothing said of such importance as to remember. I remember that I did not make those remarks to that boy.

Mr. LAPHAM. Well, he remembers that you did.

By Mr. VANCE :

Q. You say your estimate of the crowd was from 200 to 250 negroes?
—A. From 150 to 250 ; it is mighty hard to tell.

Q. I know ; that was your estimate of the crowd ?—A. Yes, sir.

Q. You do not recollect that you said in your deposition that before the fight was all over there were 500 negroes present ?—A. I don't think I said it, sir.

Q. You do not think you said it ?—A. No, sir.

LEE CLUTTER sworn and examined.

By Mr. VANCE :

Question. Where do you live ?—Answer. In Danville.

Q. What business are you engaged in there ?—A. I am a clerk in John T. Watson's coal-yard. My business at the time of the riot was reporter on the Daily Register.

Q. A newspaper published there ?—A. Yes, sir.

Q. Where were you on the day of the riot, about that time ?—A. Part of the time I was at the opera house.

Q. It does not matter particularly where you were all that day ; but about the time of the riot where were you ?—A. I was in the opera house.

Q. Attending the meeting there ?—A. Yes, sir.

Q. State what you heard, and what was done.—A. Well, sir, I was in the opera house attending the meeting to endorse the circular, and when Colonel Cabell asked the gentlemen of the house to go up and sign the circular, I came out. But before that I had heard there was a fight out on the street and went down to attend to my business out there ; I saw a large crowd up in front of Ruffin, Woolfolk & Blair's office, and a smaller one down by the market ; and I got in the middle of the street towards the market, but before I got there the small crowd had gone towards the large one. When I got there on the outskirts of the negro crowd one pistol was fired ; and soon the general firing commenced.

Q. In a short time after the first one ?—A. Yes, sir. I didn't see any riot at all, except Mr. Taylor. As soon as the firing commenced I tried to make my way towards the white people in the crowd, but the negroes were so thick that I could not do it, and they started to run, part up street and part down, and carried me down with them. As soon as I could I got out of the crowd.

Q. You approached in the middle of the street, instead of the sidewalk ?—A. Yes, sir.

Q. And that placed the large crowd of negroes between you and the whites ?—A. Yes, sir.

Q. Then the firing began ?—A. Yes, sir.

Q. And as the negroes ran they swept you along for some distance ?
—A. Yes, sir.

Q. And you finally got out of that throng and got on the sidewalk ?
—A. Yes, sir ; and returned towards the white people.

Q. Who did that firing ?—A. Well, I didn't see but one man fire. Just as I got nearly in front of Jones's drug store, on the corner of the market, I saw a negro turn around and fire over his shoulder.

Q. In what direction ?—A. Up towards the white people in front of Woolfolk & Blair's office.

Q. Did you know that negro man ?—A. I have seen him since ; but I couldn't give you his name. I know very few negroes' names.

Q. Could you identify him?—A. If I saw him, yes, sir. I have seen him once since, but I could not call his name.

Q. Did he fire more than once?—A. All I saw was once.

Q. Now, that was one colored man that you saw fire?—A. Yes, sir.

Q. Could you form any opinion from the reports and from the smoke, &c., whether there were any more colored men who fired or not?—A. My opinion of it was that there were, because I was some distance from the white people, and I heard shots directly behind me. I didn't see any.

Q. That was after you turned and ran with the throng of colored people that you say you heard shots immediately behind you?—A. Immediately behind me.

Q. Could you distinguish those from those which were much further behind you?—A. I thought I could; may be I am mistaken.

Q. Do you know anything about the colored people there carrying arms?—A. Well, very little. I have seen a colored man put a pistol in his pocket.

Q. At any time shortly before this riot?—A. A little afterwards.

Q. You know nothing about their habits before that?—A. No, sir; except what policemen had told me about making arrests.

Mr. LAPHAM. Oh! that will not do.

Mr. VANCE. That is not testimony.

Q. Did you see any pursuit of the colored men when they ran?—A. None at all.

Q. The white men apparently stood their ground and did not pursue?—A. When I got back they had hardly left the place where they were standing, but when they did start they all went up the street toward the post-office building; the crowd that came out of the opera house all went up there, and Colonel Cabell and several gentlemen addressed them.

Q. Was it not announced that they should go on up; Colonel Cabell wanted to speak to the people?—A. Yes, sir.

Q. Did you go on up to where the speaking was?—A. Yes, sir.

Q. What was the tenor of Colonel Cabell's remarks?—A. He asked them to keep quiet, and submit to the law, &c.

Q. Was there any trouble in getting them to do so?—A. As a general thing, all of them seemed to take it well and to keep quiet, but there were one or two exceptions to it; men were very much excited.

Q. It was as much so as you could reasonably expect?—A. As much as you could expect.

Q. As much as you could expect?—A. More; men were very excited.

By Mr. LAPHAM:

Q. Who were the exceptions? You say there were some who did not fall in with Colonel Cabell's advice?—A. I could not tell you but one man—I thought he was the only one—and that was Mr. Hatcher. He seemed to be very much excited, although he didn't have any pistol in his hand.

Q. What Hatcher?—A. E. M. Hatcher, I think it is. He had a red scar on his neck; he is a large man.

Q. He is the man who gave the order to fire?—A. I don't know whether he gave the order to fire, or not; I don't know that any order was given.

Q. Do you know who fired first?—A. No, sir; I could not tell you.

Q. You were not near enough to see?—A. No, sir; I could not see through the crowd of negroes.

Q. Were you armed?—A. Not at that time.

Q. Were you armed at any time?—A. Yes, sir; I was armed that day.

Q. How soon?—A. I reckon about two hours after the riot; as soon as I could get home and get my pistol.

Q. You kept a pistol at home?—A. Yes, sir.

Q. But you did not have it with you at the opera house?—A. No, sir; I did not have it with me.

Q. You did not stay to sign the resolutions?—A. No, sir; I was not of age, and it would not do me any good to sign them.

Q. The resolutions were passed first by vote, were they not?—A. What resolutions?

Q. Indorsing the Danville circular at the opera-house meeting?—A. No; I think they just called on them to come up and sign the resolution individually.

Q. But the resolutions were read?—A. Yes, sir. A part of them at least; I think all of them were read.

Q. Do you remember who offered them?—A. Well, Colonel Cabell was presiding over the meeting, I think, and Mr. Barksdale read the circular.

Q. And the circular too?—A. Sir?

Q. Read the circular and the resolutions both?—A. Yes; I don't remember; I cannot swear to that.

Q. Do you remember whether they were put to a vote?—A. No, sir; I cannot remember whether they were put to a vote or not. I know the people were called upon to sign.

Q. But you were not of age, and therefore you did not sign?—A. No, sir, and there was a fight out on the street I had heard too; that is the reason I did not stay in longer.

Q. Now did you not see any white people with arms?—A. I saw them with arms after the riot.

Q. No; before the firing was over?—A. No; I didn't see any with arms, because I could not see them. I could not get near enough. I had just got up there when the firing commenced.

Q. When you arrived there did not they have arms?—A. I could not see, there were so many negroes between them and me.

Q. But you got up where they were standing?—A. Oh, yes; they had arms when I got back there.

Q. How many?—A. I don't know; I didn't count.

Q. Give names of those you saw with arms?—A. I could not give you all of them.

Q. Well, give the names of those you remember?—A. When I got up the crowd from the opera house was there.

Q. Give the names of those you with saw arms.—A. Mr. John Ficklen was one; Mr. Crewwell—nearly everybody I met had a pistol.

Q. Well give their names?—A. I could not do it; I don't remember the majority of them.

Q. How many did you meet?—A. If met, I reckon, about 500.

Q. And they nearly all had arms?—A. Nearly all; I didn't see them all; I saw them generally over the street.

Q. You knew they generally had arms?—A. As far as I could see they did.

HENRY E. BARKSDALE sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville.

Q. What is your occupation?—A. Attorney at law.

Q. How long have you lived in Danville?—A. Since 1870.

Q. Well, will you state what you saw, if anything, of the riot on the 3d of November?—A. I was secretary of the citizens' meeting which met that day to indorse or give expression of opinion as to the truth of the Danville circular.

Q. At the opera house?—A. Yes, sir; I was reading secretary, and read the papers. I saw nothing of the riot; saw none of the shooting. Well, immediately after the resolutions were passed, I was signing names to the circular, a man would come up and ask me to sign his name, because I wrote rapidly. There was a report while we were signing that there was a fight on the street. I did not hear the first pistol-shot, owing to the crowd about me, I suppose. I know there was excitement in the crowd, and some parties started to leave the opera house, and Captain Harvey hollered out, "Close the doors"; would not let the crowd out; and the crowd quieted. While I was signing the names a gentleman came up, touched me on the shoulder, and told me that Mr. George Lea had been shot—which was not true, though. Hearing that, I jumped up and handed the pen to the other secretary, and as I started for the door the firing commenced. When I got to the foot of the stairs the firing was over. When I got to the street some one said, "They are firing down the street," and jerked me back. I looked over toward Joplin's office and saw a crowd rushing in there, and I went across, thinking that the crowd were trying to take possession of the arms; but the firing was all over when I got on the street.

Q. You heard no more firing at all?—A. No, sir. There were one or two shots fired as I stepped on the sidewalk and was jerked back.

Q. Now, Mr. Barksdale, there was a witness examined here by the name of George Adams, and he testified as follows:

Q. You were on the opposite side of the street?—A. It was on one side and I was on the other, and there was a crowd made up mighty quick. When I got over there there were five men had pistols cocked.

Q. Name the five men.—A. Lawyer Barksdale was one, Lawyer Oliver was another, John Lea was one, and George Lea, and a man by the name of Bob Miller, who is dead; he died since Christmas. These five had their pistols cocked, and Mr. Hatcher, he was the man that was holding the man, and a man named Taylor, and a Mr. Noel, I cannot remember what he had, was beating Hense over the head with a slat or stick, and had a bowie-knife in his hand, and was beating him over the head with something, and I went up and said, "Are you all going to stand and let that man kill that man?"

And so on. Now, were you present when the fight took place?—A. I was not; I was secretary of this meeting. The firing was all over before I got to the street.

Q. You were not present at the fist-fight between Noel and Lawson at all?—A. No, sir; George Adams knows me perfectly well; I have been his counsel several times; I know him well.

Y. You know him well, and he knows you?—A. Yes, sir; I have been his counsel. I saw George Adams just before the meeting, standing in the street.

Q. What time?—A. Just before I went to the meeting. Colonel Cabell asked me to act as secretary, and I started with him to the opera house. Finding there was a publication in the Richmond Whig in reference to this letter from Mayor Johnston, and also a card from Judge Blackwell, I went to the revenue office to borrow a Whig, and when I came back, just before I went into the meeting, I saw George Adams standing on the street, speaking in a very excited manner. Having been his counsel, and knowing that he was under bond to keep the peace, I went up to him and told him to leave. I says, "You will get

into trouble and forfeit your bond." He was speaking very excitedly to a crowd. He put his hand back, and I could see the print of what I thought was a pistol in his coat pocket. The reason that made me think it was a pistol was that a day or two before he had been in my office with a pistol, what is ordinarily called a navy—a long five-shooter, shot with a cap; and, thinking that he had that in his pocket, I went up to him and advised him to leave.

Q. Who was he talking to?—A. I suppose there were 25 or 30 colored persons on the street there, sort of between Grave's, and Nicholas' bar-room. There was a crowd on the street sort of in front of the opera house. They knew that we were going to have this meeting, and a good many gathered round there in the street, and also on Market Square. This was near the place from which Colonel Sims had left, and there was a crowd standing round there.

Q. Did you hear anything that he said to the crowd?—A. I did not; I could not hear all he said. I heard the words, "It ought to be right; people were entitled to their rights," &c.

Q. Did you hear enough to distinguish that he was speaking angrily and excitedly?—A. He was excited; not angry. He had a very excited and nervous manner of speaking.

Q. When you advised him to go off, what did he say?—A. I thought he was a little under the influence of liquor. He thanked me, said he was much obliged. He has always treated me politely.

Q. What was he under bond for?—A. It was for an assault upon a neighbor named Ches. Ingraham.

Mr. LAPHAM. That is hardly admissible.

The WITNESS. A peace bond.

By Mr. VANCE:

Q. Have you the means of knowing his general character as a peaceable man?—A. Yes, sir; I know it in this way: I just know from what occurred to me since I have acted as counsel for him in this Ingraham difficulty. He has the reputation of being a desperate man.

Q. Has the reputation of being a desperate man?—A. Yes, sir; and he is not a peaceable man. He is a sort of terror to the neighborhood in which he lives. He does not lack courage.

Q. He is a courageous man, is he?—A. Yes, sir.

Q. Is he indicted now, or was he, lately, for intimidating voters?

The CHAIRMAN. That is going too far.

Mr. VANCE. I should like to know the grounds of the objection.

The CHAIRMAN. It seems to me that, if you want to prove the indictment, you should prove it by the indictment itself.

Mr. LAPHAM. It would not be admissible if the indictment were here.

Mr. VANCE. I have laid the foundation by asking the question as to his general character as a man of peace, which has been answered; now, if I cannot show particulars——

The CHAIRMAN. No, you cannot; you are excluded by the general rule of evidence from showing particulars. You can prove the general fact that he is a desperate man; you could not prove it by an indictment that has not been tried; and even the conviction would have to be proved by record evidence.

Mr. VANCE. I will ask you if he has a general character for intimidating voters?

Mr. LAPHAM. That we object to.

The WITNESS. I cannot answer that.

By Mr. VANCE:

Q. You say that you could not answer it?—A. No, sir; I could not say that he has that reputation.

Mr. LAPHAM. I objected to the question.

The CHAIRMAN. Yes; you can prove the general character for truth and veracity, and the general character whether he is a quarrelsome man. The courts have held so in some cases.

Mr. LAPHAM. That is only when he is on trial for some offense; you cannot prove it as to a witness.

The WITNESS. There is one other statement that George Adams made in reference to the question. He stated that I went to his house the day before he came here, or I saw in the papers that he said I saw him at the depot before he came here. That is wholly untrue. I never was at George Adams' house in my life, and don't know where he lives, except he lives in the neighborhood.

Mr. LAPHAM. You had better wait till you are inquired of about that.

The WITNESS. I thought I had a right to make that statement.

The CHAIRMAN. You do not even know whether that statement was sworn to, do you?

The WITNESS. I just saw it in the paper.

Mr. VANCE. The statements in the Danville circular have been assailed here with reference to the rudeness displayed by the colored people on the streets in pushing people off the sidewalk and refusing to divide the walk civilly, and so on. Do you know anything about that?

The WITNESS. Yes, sir.

Q. State what you know.—A. I was never pushed from the sidewalk; I have been compelled to leave the sidewalk when walking with a lady.

Q. By whom?—A. By the colored people.

Q. Colored men?—A. Colored men and women. Twice I have been forced from the sidewalk; never was pushed rudely from the sidewalk, but they stepped in front of me and compelled me to walk around; they would not give half. Once, walking with a lady to the opera house I met a couple. It was a little rainy; it had been raining, and I stopped for the lady. I gave way myself, got off the sidewalk, but left the lady on one of the stringers (there were strippers on the street), and the couple did not give way, but just stood upon the sidewalk, when I walked to one side.

Q. Why did you submit to that sort of treatment?—A. Well, sir, rather than have trouble.

Q. At what time was that with reference to the riot?—A. It was about—it was within three weeks.

Q. Within three weeks previous to the riot?—A. Yes.

Q. Will you see if this is the report of the proceedings of the meeting that you attended at the opera house (handing newspaper slip to witness)?

Mr. LAPHAM. We have put the circular in that contains——

A. Yes; I believe it is substantially as I recollect the resolution.

Mr. VANCE. We will put that in evidence.

It is as follows:

A LARGE MASS-MEETING ATTEST ITS TRUTHS!—AND DENOUNCE A POLITICAL INCENDIARY.—THE FORBEARANCE OF THE LAW-ABIDING WHITES.

[Special telegram to the News.]

DANVILLE, VA., November 3.—At a large meeting of the citizens of Danville, held this evening at 3 o'clock, the following resolutions were unanimously adopted:

Resolved, 1. That we, the undersigned, residents of the town of Danville, in mass

meeting assembled, have examined the circular entitled "Coalition Rule in Danville, Va.," and signed by our fellow-citizens, W. T. Clark and others, and we certify that it contains a substantially true statement of the condition of things in our town for the last eighteen months, the assertion of the Richmond Whig and our Coalition judge and mayor to the contrary notwithstanding.

Resolved, 2. As law-abiding citizens we denounce the speech of W. E. Sims, made in this city last night to a large crowd of negroes, in which many of our best citizens were abused without stint, as the most incendiary and inflammatory harangue ever delivered in a civilized community, and as calculated, and believed to have been intended, to incite riot and bloodshed. At the same time the forbearance of our good citizens, who have thus far restrained their indignation, is an evidence of their desire to preserve the peace in this crisis, if it can be reasonably done.

GEO. C. CABELL,
Chairman.

Q. What do you say about the allegations contained in that circular, with reference to that rudeness on the streets; in your opinion, is it true or untrue?—A. It is true.

Q. Do you know anything of the condition of the market?—A. Yes, sir.

Q. Describe what you know, if you please.—A. My room almost overlooks the market. I know that for a long time it was a very disorderly place. Right across the Market street (the market occupies one side of the street), across that is a lot of little two-story stores—stores with rooms above, occupied in great part by lewd women, and you could hear their language upon the market and see their conduct on the street.

Q. Did the market really become a place unfit for decent females to go?—A. Yes; I was not often in the market. I never was in there, though, for six or eight months that I did not see and hear language unfit for any lady to listen to.

Q. What was the condition of it as to cleanliness?—A. As to cleanliness, I should not say it was very cleanly. It was more the conduct of the people who resorted there than anything else that was more offensive than its uncleanness—more noticeable.

Q. Were there sufficient police arrangements to have preserved order and respectability, if they had been enforced?—A. I suppose the clerk of the market could have done it by reporting—he could have enforced order.

Q. Who was the clerk of the market?—A. Benton Fields, I think.

Q. Is he a white man or a black man?—A. He is a mulatto.

By Mr. LAPHAM:

Q. Which predominates, the white or black?—A. In Benton Fields?

Q. Yes.—A. He is nearly white. I suppose under the law he would be a white man—under the Virginia law; but he has negro blood.

Q. The whites have the majority?—A. Yes. He is a very good negro; bears a very good character.

By Mr. VANCE:

Q. Let us go over this circular a little. It is admitted, I believe, that the statistical information contained in the first few paragraphs is correct—taxation, and so on. Do you know anything about the division of the town into wards?—A. No, sir; I do not.

Q. You do not know anything about the manner in which that was procured to be done?—A. No, sir; I don't know anything about it.

Q. Can you tell us anything about the composition of the town council?—A. Do you mean as to the politics? The Democrats have not elected a council in Danville for eight or ten years. The last council had more negroes in it, and more pronounced politicians; the majority of them were Coalitionist; 8 Coalitionists, I reckon.

Q. This statement says that out of the nine policemen, four were negroes. Is that correct?—A. There were two regular police, negroes; then the clerk of the market is a policeman, and the sanitary policeman.

Q. That made four?—A. Yes, sir.

Q. What is the office of sanitary policeman?—A. It is his duty to see to the cleanliness of the town. He has regular police powers, I think.

Q. Does he do anything more than go around and get up a dead cat, or anything of that sort; or does he report people whose lots are not in good condition?—A. It is made his duty to report all violations of the health ordinance.

Q. Did he have anything to do with removing these dead carcasses, or did he just report the parties for not removing them from their lots?—

A. I do not recollect. I think he was required to remove them. I know that it is his duty to clean the streets, and see that they are kept clean.

Q. Did he have under him some town carts for that purpose?—A. Yes; I think so.

Q. And laborers?—A. Yes.

Q. He did not go in person to carry off the ordure and filth?—A. No, sir.

Q. He had it done by these laborers and carts, under his control?—A. Yes, sir.

Q. How was that council elected?—A. How do you mean?

Q. By what party?—A. It was elected by the Coalitionists.

Q. By the Coalition party?—A. Yes.

Q. What was the ticket called?—A. It was called the Coalition ticket.

Q. How many of them were Democrats, pure and simple, and how many were Coalitionists?—A. There were four Democrats elected from the third ward; the rest were Coalitionists; either Republican or Coalitionist.

Q. Who was the leader in your town politics of the Coalition party?—

A. I think Colonel Raulston was considered the head of the party.

Q. And two of his employés were members of the council?—A. Yes; Batts and Payne.

Q. Is it true that any number of white men who formerly did business on the market left, and established stalls or market-houses elsewhere?—

A. I don't know that; I know there are places elsewhere; but I don't recollect whether those men formerly lived on the market or not.

Q. Do you know of some who were on the market that are now in other places?—A. I say I don't recollect. I know there are other places, market stores, other than on the regular market; but I don't recollect whether the men used to be on the market or not.

The circular goes on to state:

It is seen, therefore, that our town is practically in the hands of and actually controlled by the officers and slaves of the Federal Government.

Is that substantially true?—A. It was.

Q. Do you know anything of the condition of the police court of the town?—A. I have been called frequently in the police court.

Q. How was it conducted?—A. The administration of justice there was almost a farce.

Q. How long during the day was this police court open?—A. Almost all day. They never had any regular time.

Q. Prior thereto, had it been open all the time, or only at certain hours?—A. Well, sir, for several years it has been very irregularly conducted—four or five years. It was worse under Luck and Lee as justices, worse than I had ever known.

Q. There is also a statement—

And if there is more than one party the cost is doubled, and both parties made to pay costs.

Is that correct?—A. I have known both parties to be made to pay the costs.

Q. This statement about crowds of jeering and mocking negroes following an arrested prisoner through the streets—did you ever see anything of that?—A. I saw it on two occasions only.

Q. You saw that on two occasions?—A. Yes, sir.

Q. There is also a statement that large numbers of idle negroes had come from the border counties of North Carolina, and from Halifax, Mecklenburg, and Charlotte, Va. Do you know that to be so?—A. I do not, of my own knowledge.

Q. You have already stated with reference to the rudeness of the colored people on the streets.—A. Yes, sir.

Q. Did you hear the speech of Pleasants to the colored people, spoken of in this address?—A. No, sir.

Q. Do you know anything of the scheme to include the settlement called Jacksonville in the corporate limits of the town?—A. I only heard that there was such a scheme on foot.

Q. You know nothing about it personally?—A. No, sir.

Q. Do you know anything of the loss of trade to the town by planters declining to come to the city of Danville on account of the government there, &c.?—A. Nothing of my own knowledge. I have heard complaints from warehouses there to that effect, but know nothing personally.

Q. Are you acquainted with the general character of the signers of this circular?—A. Yes, sir.

Q. What is it?

Mr. LAPHAM. That we object to.

Mr. VANCE. Why do you object to it?

Mr. LAPHAM. Well, it is not competent.

Mr. VANCE. Why is it not competent? They have been assailed.

Mr. LAPHAM. For a great many reasons.

Mr. VANCE. Their character has been assailed.

Mr. LAPHAM. Not by us.

Mr. VANCE. Yes, it has by your witnesses.

Mr. LAPHAM. We have asked no witnesses on that side.

The CHAIRMAN. I think all the witnesses that have sworn about it at all have sworn they were men of good character.

Mr. VANCE. No, sir.

Mr. LAPHAM. We have called no witnesses to assail the character of the signers of that circular.

Mr. VANCE. They have been pronounced by your witnesses as liars and scoundrels.

Mr. LAPHAM. We have not had a witness that said anything of the kind.

Mr. VANCE. Mr. Sims said that in his speech and testified it here.

Mr. LAPHAM. Has Mr. Sims testified to any such thing here?

Mr. VANCE. Substantially; yes.

Mr. LAPHAM. He has been on the stand; if he has testified to any such thing it is all right.

Mr. VANCE. He said they were men who regarded it as doing God's service to do anything on earth to cheat a negro out of his vote.

Mr. LAPHAM. That is a report of what Sims said; that does not make it evidence here; that you prove and not we.

Mr. VANCE. Well, I think it has come to a pretty pass, Mr. Senator's of the committee——

The CHAIRMAN. I think on the whole, although I do not think the evidence is competent in any sense of the term, it is better to allow you to prove the good character of these men.

Mr. LAPHAM. Oh, I waive the objection. We have not called a witness who has said one word about the signers of that circular.

The CHAIRMAN. Sims himself, I believe, testified that they were men of good character, but they were partisans and bitter, and the statements they made were lies.

Mr. VANCE. Let me remind the committee about his testimony.

Mr. LAPHAM. Well, we will waive the objection.

Mr. VANCE. Well, what you have said has gone down on the record; I want the testimony to show that what I said was correct.

The CHAIRMAN. Sims undoubtedly said that what these men said in this circular was false; and that has gone on the record; and you have very properly given testimony showing the other side; but I do not think in any event, or by testimony of either side, that their general character is called in question.

Mr. VANCE. On page 726 you will find the following questions and answers in Mr. Sims's testimony:

Q. Without entering into details, what is the general character of those names there whom you know?

The CHAIRMAN. That is your question?

Mr. VANCE. Yes, sir.

A. The general character of those names prior to the time these men signed that circular was that they stood well in that community as business men, but a great majority of them were extreme partisans, and would resort to almost any means to carry any election. I must explain, there, that the situation of affairs in Danville and Pittsylvania County, with the Bourbon party, is a very peculiar one. You see men there who are ordinarily good citizens, and yet they think they are doing God's service if they prevent a colored man from voting, or do anything in the world to deprive a colored man of his rights. They think it is one of the highest duties. If they are churchmen they consider it a part of their creed to do everything in the world they can to uphold the Democratic party—the Bourbon rule in the State of Virginia—and if it is necessary to resort to any sort of trick or stratagem, it is not wrong at all to do that.

Q. Even to lying?—A. No, sir; not to lie for that purpose. They do evil that good may come; that is the general rule there.

Q. That is your opinion of a majority of those men?—A. That is my opinion of the majority of those people on that list.

By Mr. VANCE:

Q. The committee has consented that you may answer the question.—A. Yes, sir; I was just looking over the list of names. They are all men of character.

Q. All good character?—A. Of good character; yes, sir.

Q. Well, taken on the whole, does that circular give a truthful or an untruthful account of the condition of affairs in Danville at that time?

—A. It is substantially true.

Q. It is substantially true?—A. Yes, sir; I think so.

Q. A good deal has been said here about the registration of the city of Danville and the county, and it has been asserted that but for this riot the Coalitionists would have carried Danville by a considerable majority; are you sufficiently acquainted with the registration of the city to speak on that subject?—A. I recollect the number. I was chairman

of the registration committee of the third ward, and I had charge of the registration in the last campaign, and my duty was to challenge the list and to procure the evidence for substantiating the challenge. We had a little over 120 names of colonized voters that we thought we could prove had been brought from Mecklenburg, N. C. We had the names of reputable farmers living there, who would swear that these men had left Mecklenburg, N. C., within a short period.

Q. You thought you had sufficient evidence to prove that there were 120 colonized votes in that ward?—A. No, sir; not that one ward—but in the town.

Q. Did you have proof of any other names on the registration list that did not belong there, that should not have been there?—A. Yes, sir; there were——

Q. Dead men, or men who had moved away?—A. No, sir; we could not tell that. There were a good many dead men on the list—their names had not been stricken off.

By the CHAIRMAN:

Q. The list of the year before, I suppose?—A. The accumulation of the year before.

By Mr. VANCE:

Q. The list of 1880?—A. Yes, sir; I forget how many years. I reckon it goes back further than 1880; but we had no evidence; we could not tell whether they were going to vote those men or not.

Q. I know; but their names appeared on the list.

Mr. LAPHAM. There is not much danger of dead men voting, I take it.

Mr. VANCE. My dear sir, you don't know about politics. They vote lots of dead men. They vote men whom they say are really dead.

Mr. LAPHAM. Well, you may know more about Southern politics than I do.

Mr. VANCE. Oh, yes.

Mr. LAPHAM. That is Southern politics, is it?

Mr. VANCE. That is Southern Republican politics. It is so difficult to identify colored people that they bring out John Smith, and at the same time John Smith is dead.

Mr. LAPHAM. I heard they voted cats and dogs in New York, but did not know that they voted dead men.

The CHAIRMAN. This voting dead men, and all this testimony, this registration, were not made for this particular election.

Mr. VANCE. The relevancy of the testimony, it seems to me, is that the allegation is made here frequently that by the registration books the Republicans were entitled to carry the city, and I want to show that those registration lists were deceptive.

By the CHAIRMAN:

Q. Wasn't the registration lists made just previous to the election?—A. Yes, yes; just ten days previous to the election. They opened the books for ten days.

Q. But they are open for additional registration. They are not purged of the old list?—A. No, sir; the same books stand there from year to year.

By Mr. LAPHAM:

Q. But all the corrections were made?—A. They ought to be by law, when brought to the notice of the registrar.

By the CHAIRMAN:

Q. Then the lists are revised are they?—A. He strikes off dead men, and I think 5 or 15 men can purge the book by posting the name ten days before registration. I have never known that but once in Danville. I have known three or four names, I believe, struck off. But we had a registration three or four years back. I forget the time now; I don't recollect the date.

By Mr. LAPHAM:

Q. You have not been asked what the register shows as finally corrected?—A. I said I did not recollect the relative number.

Q. Well, you can remember who had the majority.—A. I think the coalitionists showed a majority on the registration. I am satisfied of that; I don't recollect now.

By Mr. VANCE:

Q. I will ask if you were an active member of the Democratic party?—A. Yes, sir.

Q. Do you belong to any club or organization?—A. Yes, sir; I belong to the Second Ward Club; I believe I stated the Third Ward Club once, but it is the second ward.

Q. What was the advice or caution taken with reference to preserving the peace and avoiding any collision with the colored people, if any?—A. By request of both parties, I think, the mayor appointed ten special policemen. They were sworn officers. In addition to that the clubs appointed twenty-five men. I had the selection of the twenty-five men for the second ward.

Q. That was for election day?—A. Yes, sir.

Q. I was asking you generally before that if any advice was given or any precaution taken in your clubs anywhere to avoid a collision with the colored people at any time?—A. Well, sir, all along we had counseled in the club—there had been a great many rumors that there would be an attempt to raise a row and thereby throw out Pittsylvania County—but we had cautioned the people to be on their guard and not to be led into any difficulty. That was the tendency of most of the speeches delivered in the club.

Q. Was it the policy or not of your organization to avoid violence?—A. Yes, sir; to avoid violence was our policy.

Q. Do you recollect any testimony given here concerning a speech of yours?—A. Reuben Glass, I think—a negro named Glass—

Q. My recollection of it is that you had made a violent speech.—A. Yes, sir; he stated that—stated that I said we would carry the election; if necessary, carry it by the point of the gun, was his testimony.

Mr. LAPHAM. He overheard it through a window. He thought it was your voice. He did not positively say so.—A. I only saw a published account. I don't know how it is on the record.

By Mr. VANCE:

Q. Did you ever make such a speech as that in the club—ever advise any violence whatsoever?—A. No, sir.

Q. I will read what he said:

Q. What makes you think so?—A. Well, sir, they used to hold meetings in the hall of the Virginia House, called the Grays' Armory. I live right back of it. I passed there at night and heard them speaking.

Q. What did you hear said?—A. I heard them say, "We intend to carry this election; if we cannot carry it by fair means, we intend to carry it by foul."

Q. Could you tell from within who said that; could you tell from the voice?—A. One man who was speaking was Henry Barksdale. I heard him speaking one night.

You say you never made such a speech or gave such advice?—A. No, sir.

Q. Or made such an assertion?—A. No, sir.

Q. Do you know of any other members of the club that made such an assertion?—A. I do not.

Q. You say, on the contrary, that you encouraged no violence in the club?—A. No, sir; we were advising people to refrain from violence—to bear insults rather than to have difficulty.

Q. For the reason you thought it might be used as a pretext for throwing out the vote of your county?—A. We expected that.

Q. How many representatives to the legislature did that county send?—A. A senator and three representatives.

Q. That made four?—A. Four.

Q. That is one of the largest in the State, isn't it?—A. Yes, sir.

By the CHAIRMAN :

Q. You said something about George Adams; is he a client of yours?—A. I have represented him.

Q. Did you see him on that occasion do anything or exhibit any violence or feeling on the day of the riot, the 3d of November?—A. None, except as I said I thought he was under the influence of liquor, and was very much excited, and I advised him to go home.

Q. Was that afterwards or before he attempted to disarm Lea?—A. Before any difficulty occurred; before I went in the opera house.

Q. You were not present at the time he tried to disarm Lea?—A. No, sir.

Q. You did not see that?—A. No, sir; I was in the opera house.

Q. You were speaking of your court proceedings, where they make both parties pay costs; is it not a common proceeding in certain cases to make each party pay his own costs?—A. Sometimes.

Q. Does not the law provide that, for instance in cases of slander, where the recovery is less than \$5, that each party shall pay the costs in such cases?—A. Our law provides that in an action a party does not recover unless the judge certifies that there was a greater amount involved than either \$10 or \$6.66, I forget which.

Q. Then it is not uncommon, in all well-regulated tribunals, to have each party pay some of the costs?—A. It occurs sometimes.

Q. Now, do you say that this was illegally done by your officers in Danville?—A. That both parties were illegally compelled to pay costs?

Q. Yes.—A. Yes, sir; I regard it as illegal.

Q. What kind of cases were these?—A. Cases of assault and battery, or misdemeanor, or violation of city ordinances.

Q. Couldn't you have those at once reversed by proper proceedings, if there was any illegal conduct of that kind?—A. The party might have gotten rid of it, I suppose, by appeal, but the appeal would cost, if they employed a lawyer, more than the costs. I have frequently advised clients to pay costs rather than appeal.

Q. But, then, you would not allow your clients to be unlawfully deprived of money to pay costs when they had no legal right to do it, would you?—A. As I said, I have frequently advised them to pay the money rather than to appeal, because I would be compelled to charge them more than the costs. Sometimes I have appealed.

Q. Who did this?—A. The justices, I think. There was more complaint of a justice by the name of Lee.

Q. Wasn't he a Democrat, and wasn't he removed afterwards?—A. He was removed afterwards.

Q. Wasn't he a Democrat?—A. No, sir.

Q. Appointed upon the recommendation of Democrats?—A. No, sir; he was appointed by Judge John E. Blackwell as a Coalitionist.

Q. What was his name?—A. R. E. Lee.

Q. He is a white man, is he not?—A. Yes, sir; a very bad one.

Q. Had not he been removed before this Danville circular was issued?—A. I think he was.

Q. And another Democrat put in his place; wasn't that so—by Judge Blackwell?—A. Yes, sir; Judge Blackwell put a Democrat in his place.

Q. So that complaint was then removed?—A. Yes, sir; I think Luck had been removed.

Q. I don't see your name attached to the Danville circular. Were you asked to sign it?—A. No, sir; at one time I was spoken of as one of the committee to prepare that circular, but I was not appointed.

Q. Who prepared this circular, so far as you know?—A. I don't know exactly; but I think Judge Aiken prepared it.

Q. You didn't prepare it?—A. No, sir.

Q. Were you present at the meeting which indorsed this circular? Did you sign that paper indorsing the circular?

Q. Yes, sir; I signed the resolution that was read—that was handed me.

Q. The signatures were not there?—A. No, sir; it was never completed.

Q. You say you were a member of the Democratic club; what club?—A. The second ward.

Q. Were you also a member of the Third Ward Club?—A. No, sir.

Q. Were you present when resolutions instructing dealers not to patronize Readjusters were adopted or offered?—A. I offered it; offered the resolution and seconded it.

Q. When was that offered; about what time; how long before the riot?—A. I don't recollect; it was within a week or two. Our club was the last club to adopt the resolution.

Q. Have you got the terms of that resolution? Have you got it here? Can you state it to us?—A. I haven't got it; I have seen it since. I didn't prepare it myself.

Q. Has it ever been printed?—A. The substance of it was printed.

Q. Now give the substance as near as you can.—A. The substance of it was—it was directed towards the Coalition leaders—as adopted by our club, to withdraw patronage from those who were leading the Coalition party in Danville, and giving counsel and giving bad advice to negroes, raising the color line.

Q. That was adopted in the Second Ward Club?—A. Yes, sir.

Q. Had it been adopted in the other clubs before that?—A. It had been adopted in the third ward before that. I don't know whether the first ward ever adopted it or not.

Q. It was adopted upon your motion?—A. Yes, sir.

Q. Was there a resolution passed by either of the clubs refusing to rent to Readjusters, or colored people?—A. No, sir; I don't think that was ever carried before the club.

Q. The resolution you mean was not to deal with them—trade with them?—A. Yes, sir: it was omitted. The question was discussed, but I don't think the other proposition was ever carried.

Q. Was it pressed in your club, or discussed, not to rent to them?—A. Not in the club; I don't think that it was; if it was, I was not present.

Q. Was there any paper signed, or did you see the paper signed to that effect?—A. I never saw it signed.

Q. You saw what purported to be a paper to that effect?—A. I saw a paper; yes, sir.

Q. Had it names of citizens to it?—A. Not at the time I saw it. It had no names to it.

Q. Was it prepared for signature?—A. It was prepared to be discussed, and it was handed me to read and make any suggestions to it that I thought proper.

Q. Well, I didn't ask you to say what you did, but was that paper circulated for signature?—A. I don't know of my own knowledge. I don't know what became of that paper; it was not offered in the club.

Q. I will ask you whether your meetings of the club were secret; did you allow Readjusters and colored people to come into your clubs?—

A. We allowed colored Democrats. We didn't allow anybody to come into the club except Democrats; that is, we intended not to, but people did come in.

Q. Then you excluded Readjusters. They were not open public meetings?—A. No, sir; they were considered Democratic meetings—Democratic clubs, and, as a matter of course, we didn't allow political enemies to come in.

Q. When Readjusters had their meetings, didn't some of your people attend?—A. No, sir; not their club meetings.

Q. You make a difference between your political meetings and your club meetings, then?—A. Oh, yes; anybody could come to the political meetings; we invited everybody to come to them.

Q. But the club meetings are secret?—A. The club meetings are supposed to be secret; we tried to make them so.

Q. How was this meeting in the opera house; was that of that character? Don't you know that colored people were excluded from that?—

A. No, sir; except that I heard that they were. If I depended on my recollection, I would say that negroes were there. I think there were negroes there. I think there were two negroes in the gallery.

Q. Well, we have had the testimony of one or two who were denied admission. I will ask you whether you attempted during that campaign what is called the shotgun, or Mississippi policy?—A. No, sir.

Q. You did not?—A. No, sir.

Q. Did you ever use that term in commendation?—A. No, sir.

Q. You know what I mean by that, I suppose?—A. Yes, sir. I mean that we discountenanced any violence. I spoke four or five times during the campaign to the club, and always advised the people to bear insult rather than provoke any difficulty.

Q. You said you did not go out on the day of the riot until the firing ceased?—A. No, sir; the firing ceased before I got down stairs.

Q. I will ask you if you were armed that day?—A. I was.

Q. What were you armed with?—A. I had a revolver—Smith & Wesson.

Q. Was that the common custom in Danville at that time, to be armed?—A. There always have been a great many people who carry arms in Danville. I don't think the bearing of arms is as common as it was seven or eight years ago.

Q. Was this a Smith & Wesson pistol that you had?—A. Yes, sir.

Q. Was it loaded?—A. Yes, sir; loaded.

Q. Did you fire the pistol that day?—A. I did not.

Q. Did you see Adams after you came out of the opera house?—A. No, sir; I didn't see Adams for two weeks after.

Q. He had gone?—A. Yes, sir.

By Mr. VANCE:

Q. You say that resolution was directed towards those leaders of the Coalition party that banded the colored people together and made a race issue?—A. Yes, sir.

Q. Toward the leaders of the party?—A. The wording of the resolution was against those who approved the methods that were being used by the Coalitionists in Danville.

Q. I did not exactly understand what you said to Mr. Sherman about that paying of costs. Did I understand you to say that it was the habit to make each party pay half the costs, or to make each party pay the whole cost?—A. I have known, I think, on two occasions where both parties were compelled to pay full costs.

Q. So there were double costs charged?—A. Double costs.

By the CHAIRMAN:

Q. Was that by that man Lee?—A. Yes, sir; Lee in both cases. I think it was by Lee.

By Mr. VANCE:

Q. Was that the kind of costs referred to in this circular; there would have been no complaint of each party paying half the costs, would there?—A. No, sir; they would not have complained of that.

By Mr. LAPHAM:

Q. Were you counsel in either of those cases?—A. I was counsel in one case.

Q. Did you submit to it or resist it?—A. I advised my client, as I stated to Senator Sherman to pay rather than to take an appeal.

Q. You submitted to the judgment, then?—A. Yes, sir.

Q. Professionally I mean?—A. Yes, sir; the client did not want to pay but I advised him just on the score of economy to pay.

Q. The amount of the costs was not large, I suppose, in that class of cases?—A. It was not over a dollar or two. It was a small amount. If it had been large I would have advised an appeal.

F. F. BOWEN sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Danville.

Q. How long have you lived there?—A. A little over six years.

Q. What is your profession?—A. Attorney-at-law.

Q. Did you take a lot of depositions before what is called the "committee of forty"?—A. Yes, sir.

Q. Did you take the deposition of Walter S. Withers before the "committee of forty"?—A. Yes, sir.

Q. In his testimony before this committee he says that he did not say that both sides fired and that you or somebody misrepresented him and didn't put down truly what he said. I asked him the question and read a portion of his deposition to him as follows:

The white people shot up in the air at first as if to scare the colored people away. Then the firing seemed to be on both sides, right at each other.

Q. He says he did not say that in his deposition before. Do you remember whether he said that or not?—A. That printed account there corresponds with his deposition in every respect, I think, except the printer has inserted an "it," which does not alter the meaning in the slightest degree.

Q. Where is that "it" inserted?

Mr. LAPHAM. The original ought to be here.

The WITNESS. I have the original.

At that time me and Mr. Jeff. Corbin were together; he was trying to get them to disperse too, and Mr. Peter Booth hollered to me to make them leave, and I told him I was trying to do,

is the original. The printer has it "do it."

By Mr. VANCE :

Q. If you have got the original just produce it. Just read that part of it where you say the only difference is.—A. "At that time me and Mr. Jeff. Corbin were together; he was trying to get them to disperse too, and Mr. Peter Booth hollered to me to make them leave, and I told him I was trying to do." I think that is the only difference between that published statement and the original.

Q. Well, we have the two here and will let them go in the testimony together.

The original deposition produced by the witness is as follows :

WALTER S. WITHERS (colored), being duly sworn, deposes says :

I have been a policeman in Danville about sixteen months. I was not on duty the day of the riot. As soon as I heard of the difficulty on the street I went down there. The fight between Noell and Lawson was over. There were about twenty-five whites on the pavement in front of R. W. & Blair's office, and seventy-five or a hundred negroes in the street in front of them; they were still coming up, of both colors. I tried to get the crowd to disperse. I went up and down the crowd of colored folks and asked them to disperse; that they would create a disturbance. I said "Why don't you all disperse? You will get hurt here." They said, "We don't intend to be run over." I told them it would be for their good to leave. I said, "Well, if you won't leave, I can't help it; I've done all I can do to get you to leave." At that time, me and Mr. Jeff. Corbin were together; he was trying to get them to disperse too, and Mr. Peter Booth hollered to me to make them leave, and I told him I was trying to do. I saw that there was no use in trying to get them to leave, and stepped on the sidewalk at the lower end of the crowd of white people. Some gentleman in the crowd said, "If you all don't go away from here you will be hurt." At that time the firing commenced. The white people shot up in the air at first as if to scare the colored people away; then the firing seemed to be on both sides right at each other. I then stepped into Mr. Blair's and Woolfolk's office, it was so hot. I staid in there about two minutes, until the firing was over.

I was on duty from that time until after election. I did not vote, but was not afraid to vote. I was at the polls and everything was quiet. I heard of or saw no intimidation. I saw white men try to persuade colored people to go and vote, promising them to go with them and see that they should vote as they pleased.

I saw that prominent citizens of the town tried to calm the crowd after the riot. Order was restored immediately and I saw or heard of no disorder afterwards, except I heard that Hubbard was shot near Dry Bridge Saturday night.

W. S. WITHERS.

The foregoing depositions were taken, subscribed and sworn to before me on the days above mentioned.

F. F. BROWN, N. P.

The deposition as printed in the report of the committee of forty is as follows:

WALTER S. WITHERS (colored), being duly sworn, deposes and says :

I have been a policeman in Danville about sixteen months. I was not on duty the day of the riot. As soon as I heard of the difficulty on the street I went down there. The fight between Noell and Lawson was over. There were about twenty-five whites on the pavement in front of R. W. & Blair's office, and seventy-five or one hundred negroes in the street in front of them; they were still coming up, of both colors. I tried to get the crowd to disperse. I went up and down in the crowd of colored folks and asked them to disperse; that they would create a disturbance. I said, "Why don't you all disperse? You will get hurt here." They said, "We don't intend to be run over." I told them it would be for their good to leave. I said, "Well, if you won't leave I can't help it; I have done all I can do to get you to leave." At that time, me and Mr. Jeff. Corbin were together; he was trying to get them to disperse too, and

Mr. Peter Booth hallowed to me to make them leave, and I told him I was trying to do it. I saw there was no use in trying to get them to leave, and stepped on the sidewalk at the lower end of the crowd of white people. Some gentleman in the crowd said, "If you all don't go away from here you will be hurt." At that time the firing commenced. The white people shot up in the air at first as if to scare the colored people away; then the firing seemed to be on both sides right at each other, and I stepped into Mr. Blair and Woodfolk's office, it was so hot. I staid in there about two minutes, until the firing was over.

I was on duty from that time until after the election. I did not vote, but was not afraid to vote. I was at the polls, and everything was quiet. I heard of or saw no intimidation. I saw white men trying to persuade colored men to go and vote, promising them to go with them and see that they should vote as they pleased. I saw that prominent citizens of the town tried to calm the crowd after the riot. Order was restored immediately, and I saw or heard of no disorder afterwards, except I heard that Hubbard was shot near Dry Bridge Saturday night.

W. S. WITHERS.

Q. Now, who took down the words of the witness?—A. I did.

Q. Did you take them down just as he dictated them?—A. Just as he dictated—the very expressions that he used, word for word; never made a particle of change.

Q. Did you read them over to him?—A. Yes, sir; read them over to him after he had finished.

Q. Did you read it correctly and truthfully?—A. Yes, sir.

Q. Just as you had taken it down?—A. Yes, sir; just as it is written there.

Q. And he signed it then in your presence, did he?—A. Yes, sir.

Q. And swore to it?—A. He swore to it first.

Q. Swore to it first?—A. Yes, sir.

Q. And then signed it?—A. Yes, sir.

Q. Aside from what you find either in the paper or the printed account, do you have any personal recollections that he used those words?—A. Yes, sir; I think I remember that he stated the firing was from both sides.

Q. How was that examination conducted; were they voluntary statements made by the people?—A. Yes, sir.

Q. You had no judicial process to compel witnesses to come in?—A. None at all. They were invited by an advertisement in the paper to come before the committee and testify, and there was a committee appointed to see men from both sides and invite them to come in, and he was invited to come in and he came in voluntarily.

Q. And made this statement?—A. Yes, sir; as others did.

Q. Were there any suggestions or dictation as to what they should say?—A. Not at all.

Q. Did anybody assume the examination and suggest leading questions, or anything of that sort?—A. No, sir; just asked him to state what he knew about it—give a narrative—give it in a narrative form.

Q. Were you a member of any political organization there?—A. Yes, sir; I was a member of the Democratic club of the third ward.

Q. Did you belong to any committee of that ward—advisory committee, or executive?—A. Yes, sir; I belonged to the advisory committee.

Q. Can you state whether anything was said or done by the committee or by the club with reference to avoiding any collision with the black people—getting up any riot or anything of that sort?—A. Yes, sir; both in the committee and club whenever I attended, and I think I attended all the meetings of the club except one or two; there were several meetings of the advisory committee which I did not attend, but in the meetings that I attended they were earnestly exhorted to submit to almost anything rather than to have a row with the colored people.

Q. Now, why was it your policy to avoid a row?—A. Because we deemed it would just suit the Mahone party to get up a row there in order that they might throw out that county and town.

Q. In order that the returning board might throw out the vote of the county?—A. Yes, sir; from the speeches that had been made on the other side we believed that that was what they were trying to do.

Q. Did you, or did you not, have any apprehension that the other side were trying to provoke bloodshed or a riot?—A. Yes, sir; that was the general rumor that they were.

Mr. LAPHAM. Unless he states some fact that is hardly competent—general rumor.

The WITNESS. Well, I just state it as it is; it was general rumor only.

Mr. VANCE. Perhaps you did not attend to my question, judge. I asked him whether or not the club entertained an apprehension that the other side were trying to provoke bloodshed or a riot.

Mr. LAPHAM. Yes; the form of your question was not so objectionable as the answer. The answer is that it was a general rumor, which is not competent.

By Mr. VANCE :

Q. Well, was there such an apprehension on the part of the club?—A. Yes, sir.

Q. That they would be provoked into violence? Your county is a very important factor in the composition of the Virginia legislature, isn't it?—A. Yes, sir.

Q. Elects one of the largest delegations in the State?—A. Yes, sir; it is the largest county in the State, I believe, outside of Norfolk County and Henrico.

Q. Does it not send more delegates than either of the others?—A. Yes, sir; I think it does.

Q. Three delegates and one senator?—A. Yes, sir.

Q. You didn't want the vote of that big delegation thrown out?—A. No, sir.

Q. Did you see the riot?—A. Yes, sir; I was there. I cannot say that I saw it exactly, either—all of it.

Q. Well, just relate what you saw?—A. At the time that the fisticuff occurred I was in my office.

Q. Where is it located?—A. It is up in front of the Arlington hotel. I suppose the situation of that has been described.

Q. Yes; we know where that is.—A. And Walter Withers, this same policeman who testified here, was in there paying me some money for a lot he had purchased, and one of my brother lawyers called to me and told me there was a fight going on down the street, and I heard a pistol fired. I finished with him, and I went down, and when I got there there seemed to be considerable excitement. The whites were on the sidewalk talking to the darkies in the street, very close to the pavement, and seemed to be very much excited.

Q. What were the numbers now, do you think, on each side when you got there?—A. My estimate when I first got there was about 25 white men and 150 negroes.

Q. Well?—A. But I didn't know what the fuss was about, and I went around to several of my friends whom I saw there inquiring what it was about, and in that way I didn't see what was going on. My attention was directed to inquiring of them what was going on. I went up to Mr. Dance, who was standing in his office door—he had a shotgun in his hands—and inquired of him, but he was too much occupied and too

much excited to give me any account. I went to Captain Oliver, who was standing there, and inquired of him, and he couldn't give me any account, and I went to Mr. Booth, who was standing on the pavement talking to a negro man, advising him to go away and take the rest of the negroes away if he possibly could; that there would be some difficulty there if he did not, and the negro assented; said that they would go if the white men would go. Mr. Booth says, "All right; now ask them to go on away and we will go." Mr. Booth started off, so did the negro; and I started with Mr. Booth, turned my back and stepped up the pavement, and just as I turned I heard the firing commence. It was almost like a flash—over in two or three seconds; and I whirled around and saw the negroes running.

Q. Did you see any shooting by the colored people?—A. I cannot say that I saw any man shoot, white or black.

Q. Your back was to them when the volley was fired?—A. Yes, sir; I could see the smoke when I turned; and just then Mr. Walters Holland was picked up right by me, and my attention was directed to him also.

Q. What was apparently the feeling of the crowd of colored people when you got up there; was it good natured or angry?—A. It seemed to be very angry, was my impression; and I remember thinking to myself, at the time, that this crowd will never be dispersed here—

Mr. LAPHAM. That won't do.

By Mr. VANCE:

Q. The impression produced upon you was that the crowd was angry?—A. That the crowd was angry.

Q. Now, the whites were largely outnumbered, were they not?

Mr. LAPHAM. Why, he has given the relative numbers.

Mr. VANCE. Well, we will have him give it again.

Mr. LAPHAM. Well, in that form it is objectionable. He has given the exact numbers as he estimated them. We can reason whether they were largely outnumbered just as well as he can.

By Mr. VANCE:

Q. Well, the blacks were how many to one?—A. Well, they were—

Q. Five or six?—A. Yes; more than that.

Q. Did you see any black men with arms?—A. No, sir; nor white either.

Q. Didn't notice any arms?—A. Except Mr. Dance. I saw Mr. Dance with a shotgun.

Q. Were you cool, or were you excited?—A. Well, sir, I suppose I was excited; I thought I was cool, too.

Q. From what you saw at that time did you think there was any necessity for the whites to fire in self-defense?—A. Yes, sir.

Q. You thought so?—A. That is what I started to state when Senator Lapham stopped me.

Q. Did you see any firing or hear any on the part of the white people after that apparent necessity had passed away?—A. No, sir; it was over in a few seconds, and the white people—I saw no pursuit at all.

Q. No pursuit?—A. No, sir; no firing afterwards.

Q. No disposition to continue?—A. In fact the white people went in an opposite direction; they went up street.

Q. They went up street and the colored people went down toward the market?—A. Yes, sir.

Q. How long was it from the firing there and the dispersion of the

colored people until order was restored and the mayor and the police had resumed authority?—A. In half an hour the town was under guard.

Q. Half an hour?—A. Yes, sir; the Danville Greys were called out by the sergeant.

By Mr. LAPHAM:

Q. You read over all the depositions you took there before the committee of forty, did you not; that is, you read to each witness his deposition?—A. Yes, sir; I think they were all read over to the witnesses.

Q. And they were subscribed in your presence?—A. Yes, sir.

Q. And are they printed accurately?—A. As far as I have examined. I have examined a great many of them; did not examine them all, but so far as I have examined they are printed accurately.

Q. As soon as you heard this fight was going on you finished your business and ran down?—A. I had finished it with Walter Withers, and both of us went down.

Q. Well, you ran, you say?—A. Yes. Well, I don't know that I run; I walked rapidly.

Q. I understood you to say you ran down there.—A. I don't think I said that; but if I did, I am not positive whether I ran or walked rapidly.

Q. Do you remember now what you said on your direct examination?—A. In regard to what?

Q. Whether you walked there or ran there; which did you say?—A. I don't remember whether I said I ran or not.

Q. Very well. Were you armed?—A. Yes, sir; I was.

Q. What with?—A. A revolver. Smith & Wesson.

Q. Loaded?—A. Yes, sir.

Q. Where did you procure it?—A. I bought it in Danville.

Q. When?—A. I bought it that morning.

Q. Saturday morning?—A. Yes, sir.

Q. Where?—A. I bought it from Valentine Brothers.

Q. Do you know of any others being purchased that morning?—A. No, sir; I don't.

Q. What time that morning did you purchase it?—A. I bought it about 9 o'clock, I think.

Q. Well, you couldn't learn from any of the white persons you inquired of there anything about that affair. You inquired of several, you say, and could get no answers?—A. No, sir; the excitement was too great; they didn't have time to speak.

Q. I didn't ask the cause; I am asking how the fact is.—A. Well, I told you.

Q. You couldn't get any answer in respect to what was going on?—A. No, sir.

Q. And as you turned to go up street—with whom?—A. Mr. Booth.

Q. He had arranged with a colored man to separate and go away?—A. Yes, sir.

Q. And as you turned to go with Mr. Booth the firing commenced?—A. Yes, sir.

Q. And you looked back then and saw the smoke?—A. Yes, sir.

Q. Wasn't that where the white men were standing?—A. In between.

Q. Well, the smoke would be between, wouldn't it?—A. Between the white men and the colored men.

Q. How far were you from the white men who fired?—A. I was right in amongst them.

Q. Do you not know who fired first?—A. No, sir; I do not.

Q. You did not see any colored men with arms, you say?—A. No, sir; or white either, not until after the riot.

Q. Why, you had arms?—A. Well, I told you I had arms.

Q. Didn't Mr. Booth?—A. No, sir; Mr. Booth did not; not that I saw.

Q. Dance had?—A. He had a gun.

Q. Did you say the colored people all ran down the street?—A. No, sir; I didn't say that all ran down; I say the mass of them ran down the street.

Q. Did you use that expression?—A. Yes, I did.

Q. That the mass ran down street?—A. Yes, I did.

Q. Don't you know that they fled in every direction?—A. Some of them went up street, but the mass of them went down street.

Q. They went into Market street, did they not?—A. Yes, sir; but they had to go down street to get to Market street.

Q. A short distance?—A. Yes, sir.

Q. But they fled off the side streets—off Main street, did they not?—A. Yes, sir; they went down street, too.

Q. Now, in your club, was the resolution passed recommending Democrats to withdraw patronage from Readjuster colored people?—A. Yes, sir; it was; to withdraw patronage from obnoxious Readjuster leaders

Q. When was it passed?—A. I don't know.

Q. About how long before this disturbance?—A. I suppose it was a week or two weeks before, probably three weeks.

Q. Was it published in the papers there?—A. I think it was—the purport of it.

Q. The substance of it was published in the Democratic paper?—A. I think it was.

Q. Didn't some business people advertise also?—A. Advertise that they would withdraw?

Q. That they would not patronize that class of people?—A. I don't remember that I ever saw such advertisements.

Q. You thought that was calculated to pacify public feeling, I suppose?—A. No, sir; I haven't said any such thing.

Q. You spoke of how peaceful you were all disposed to be?—A. I didn't say anything about how peaceful we were all disposed to be.

Q. Did you not?—A. No, sir.

Q. Well, I will have that answer. You have not claimed that you were disposed to be peaceful?—A. I will claim it now.

Q. Did you not say so on your direct examination?—A. No, sir; I didn't use the word "peaceful" at all. I said that they were counseled in the advisory committee, in the Democratic committee, to submit to almost anything rather than to produce a row.

Q. Well, that was a secret meeting?—A. Yes, sir.

Q. That was not published?—A. That was a secret meeting, certainly.

Q. That was not published in the papers?—A. No, sir.

Q. But the resolution withdrawing patronage was published?—A. It was reported in the paper. It was not published by the club.

Q. Do you know also that that resolution—— A. Let me explain there.

Q. No, I have got through with that.

Mr. VANCE. No, I want the witness to explain; he has the right.

The WITNESS. It was not published by the club. It was published by the paper as any other item of news.

By Mr. LAPHAM:

Q. Of course it was, and it was news. Do you know also of any resolution meant to prohibit renting to that class of people?—A. No, sir; I do not.

Q. You didn't hear of that?—A. No, sir; I heard some mention of it casually.

Q. Did not you know that there was a subscription paper drawn up?—A. No, sir; I did not.

Q. You did not fire your pistol?—A. Yes, sir; I did.

Q. Did you?—A. Yes, sir.

Q. Where?—A. On the street.

Q. When?—A. On the third of November.

Q. Oh, yes; but now you didn't understand that to be my question?—A. Yes, sir.

Q. At what time?—A. Of the day; what time of the day?

Q. At what time did you fire your pistol?—A. What time of the day, do you mean?

Q. You heard my question.—A. I fired it the third of November.

Q. What time in the day did you fire it?—A. I fired it about 3 o'clock, I think it was.

Q. Where were you standing when you fired it?—A. I was standing on the sidewalk, just as I turned, when I was with Mr. Booth, as I related.

Q. After you heard the first firing?—A. Yes, sir,

Q. In what direction did you fire it?—A. Down the street.

Q. Toward where the white people were?—A. No, sir; toward where the negroes where.

Q. They were running, were they not?—A. Yes, sir.

Q. And you fired at them?—A. No, sir; I did not fire at them.

Q. Who did you fire at?—A. I fired in the air.

Q. You thought you would scare them a little, did you? How many times did you fire at them?—A. Once.

Q. That satisfied your ambition?—A. I had no ambition on the subject.

By Mr. VANCE:

Q. Senator Lapham dwells upon the secrecy of those meetings; were they in any other way secret than that political adversaries were not invited?—A. That was the only way in which they were secret.

Q. They were Democratic meetings?—A. Democratic meetings; we did not invite our opponents there.

Q. They were not open to the public?—A. No, sir.

Q. But in no other way were they secret?—A. In no other way.

Q. Were members bound not to tell what took place in there?—A. No, sir.

Q. Were not the proceedings of the club meetings generally published in the papers?—A. Yes, sir.

Q. Just like our Executive sessions are here?—A. Yes, sir.

Mr. VANCE. Senator Lapham, we propose to put in evidence a certified copy of the report of the grand jury. I thought it was already in, but am told it is not. It is as follows:

At a hustings court commenced and held for the town of Danville, at the court-house thereof, on Monday, the 3d day of December, 1883.

George C. Ayres, foreman; E. F. Acree, J. G. Friend, C. H. Hickey, W. W. New, W. P. Watkins (*colored*), P. T. Barrow, and J. L. Tyack were sworn a special grand jury

of inquest for the body of said town, and, having received their charge, withdrew, and after the day's deliberation returned and made sundry presentments, but not having concluded their business, were adjourned until the next day, in the evening of which they returned into court and presented a paper, of which the following is a copy, to wit:

To Hon. J. D. Blackwell, judge of the corporation court of Danville.

It appears to the jury, who have examined forty witnesses, white and colored, the larger proportion being colored, that on the 3d November, 1883, in the afternoon of that day, a fight occurred on Main street, in this city, between C. D. Noell, white, and Hence Lawson, colored; that after the fight was over and the combatants separated by the efforts of the colored policeman, Adams, and the white man, Lea, and others, there was a determination on the part of the negroes assembled to intimidate the whites by threats and menaces; that the efforts of Policemen Adams, Freeman, and Withers, and of citizens Corbin, Oliver, Callaway (colored), and others were unsuccessful in prevailing upon the crowd of negroes to disperse; that they persisted in remaining upon the scene of the fight and giving expression to remarks calculated to excite the passions of the whites; that at last the whites *fired their pistols in the air*, hoping thereby to cause the crowd to disperse; that the negroes did not then disperse, but, on the contrary, rushed upon the scene from all quarters, advanced upon the whites with drawn pistols; that thereupon firing commenced; that the whites used their firearms in defense of their lives, which were in imminent danger, and by their courage and pluck in standing up against such odds on that occasion, saved the lives of hundreds of people in this city.

This is the unanimous sense of the jury.

GEO. C. AYRES,
Foreman.

A copy. Teste:

WILLIAM RISON,
Clerk.

A. G. WHITFIELD sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Danville, Va.

Q. How long have you lived there?—A. Fourteen years.

Q. What is your business or occupation?—A. Tobacconist.

Q. Where were you on the 3d of November when this riot occurred?—

A. I had left the opera house and was about stepping out on the sidewalk, on the steps coming down.

Q. Were you in the opera house when that meeting was had?—A. Yes, sir.

Q. State how you came to go out?—A. There seemed to be some excitement on the street, and several of my friends had gotten up and gone out. I concluded I would go too, I had some little trouble in getting out the door and was delayed. I went down the steps as quickly as possible and about the time I stepped out on the street the firing commenced.

Q. Well what did you see? Just state what you saw when you got down in view.—A. Well, sir, I saw a few white men to right. I suppose from ten or fifteen and I saw quite a number of negroes seemed to be moving off in different directions.

Q. The firing had already begun?—A. Yes, sir; it had already begun before I got out, like to my right.

Q. How much firing was done after you got down?—A. After I stepped down on the street there were several shots fired.

Q. Did you see any pursuit of the colored men?—A. No, sir; I did not.

Q. Did you see any colored men with weapons?—A. No, sir.

Q. Could you tell from the smoke, or the noise, or otherwise, where the firing was coming from, whether from the little knot of white people or colored people, or both?—A. Well, sir, I saw two distinct lines

of smoke, one on the side of P. P. Jones's drug store, and the other in front of Wolfolk & Blair's office, along in front of Nicholas and Hessburgs.

Q. You saw two distinct columns of smoke?—A. Yes, sir; columns of smoke.

Q. One in the street and the other on the sidewalk?—A. Yes, sir; bordering on the sidewalk both lines.

Q. Well, had you observed any excited or unusual conduct among the colored people that day before the riot?—A. Well, sir, about 2 o'clock I was walking on Union street, and I passed a party of negroes—I suppose six or eight in number, and one of them appeared to be very much excited, and as I passed I heard him say distinctly "the fight has got to come, and I have but one time to die, and in this case I don't care how soon." I caught those words.

Q. That was said by a negro man to a number of other negroes?—A. Yes, sir; I suppose six or eight in that party.

Q. Did you know that man?—A. No, sir; I did not.

Q. What kind of a man was he as to size?—A. He was something over the average-sized man.

Q. Larger than usual?—A. Yes, sir.

Q. Tall as well as large?—A. Yes, sir; very well proportioned.

Q. Black?—A. Well, sir, he was not to say really black. He was what we call a ginger-cake negro.

Q. Did you see him have any weapon?—A. No, sir; I did not.

Q. Did not display any?—A. No, sir.

Q. Were you on guard after the riot occurred?—A. Yes, sir.

Q. Whereabouts did you patrol?—A. I patrolled on the outskirts of the town, in what was known—near the chair-factory on the railroad, near the middle of quite a large negro settlement called Jacksonville.

Q. Were you interrupted at any time on your patrol?—A. Yes, sir; about ten o'clock at night I was shot at by some one.

Q. Shot at?—A. Yes, sir.

Q. Where was that?—A. That was very near the chair-factory.

Q. How many shots were fired at you?—A. Only one, sir.

Q. Who was with you?—A. I was—at least I thought I was—two hundred yards from any one.

Q. You were not with the party that got shot at, Mr. Hubbard?—A. No, sir; I was not with that party at all.

Q. Were you fired at also the same night?—A. Yes, sir; I suppose it was about thirty minutes; I heard the firing at the dry bridge in which Mr. Hubbard was engaged.

Q. Were you hit?—A. No, sir.

Q. Were you on horseback or on foot?—A. On foot.

Q. You say there was some other patrol with you?—A. None near me. There was a party probably about a couple of hundred yards in my rear.

Q. You were acting by authority, were you, of the town officers?—A. Yes, sir; I had been ordered there.

Q. Where did that firing come from that was directed towards you?—A. It came from immediately in front of me towards this negro settlement in Jacksonville.

Q. It came from that direction?—A. Yes, sir.

Q. Were there some houses near?—A. Yes, sir; there was some houses within two hundred yards of me.

Q. Did you make any investigation to see where the firing came from;

did you return the fire?—A. Yes, sir; I returned the fire; did not return it until I heard the parties running.

Q. Never ascertained who it was fired, did you?—A. No, sir; I did not.

Q. Were you a member of any political organization during that campaign?—A. I was a member of the third ward club.

Q. Did you attend their meetings pretty regularly?—A. I only went to one club meeting; I think that was in the first ward; that was not in my ward, I am confident.

Q. Did you hear any thing said at any time in the club about the importance of avoiding collision with the colored people?—A. No, sir; I did not; I was only there a few minutes, and didn't hear anything of the kind.

Q. You didn't hear anything said on the subject?—A. No, sir.

Q. Was anything said to you by the leaders of the party anywhere else about it?—A. Well, I had heard several old gentlemen; I can only mention one, that was Captain Graves.

Q. What did the captain say?—A. He remarked that he hoped all the whites would keep as cool as possible, and not have any collision if it could possibly be avoided. That was his language, as well as I can remember.

Q. Did you take any part in the riot?—A. Well, sir, I was armed.

Q. Well, did you use your arms?—A. I decline to answer that question.

Q. Decline to answer? Do you know anything about the habit of the colored people of Danville in relation to carrying arms?—A. Well, sir, I saw three or four negroes, probably six or eight days after the riot, with pistols.

Mr. LAPHAM. Oh, that I object to.

Mr. VANCE. What is it, Judge?

Mr. LAPHAM. I don't see the propriety of that.

Mr. VANCE. Well, there has been a good many questions asked about carrying arms after the riot.

Mr. LAPHAM. Well, go on.

Mr. VANCE. I didn't ask for it——

Mr. LAPHAM. No; I know you didn't.

Mr. VANCE. But still I think it is competent after what has been given in here. [To witness.] You saw none with arms before the riot, did you?—A. No, sir; I did not.

By Mr. LAPHAM:

Q. Were you before the committee of forty?—A. No, sir; I was not.

Q. Were you sworn in as a policeman?—A. I was sworn in on Monday.

Q. You were not sworn in on Saturday?—A. No, sir.

Q. You were shot at when; on Saturday night?—A. Yes, sir; Saturday night.

Q. How were you armed at that time?—A. With a pistol.

Q. The same one you had during the day?—A. Yes, sir.

Q. You went to the opera house armed, didn't you?—A. Yes, sir.

Q. What arm did you have?—A. A pistol.

Q. What kind of a pistol?—A. A Smith & Wesson.

Q. Where did you get it?—A. I am not certain where I got it.

Q. When did you get it?—A. There were two pistols at my house, and each came from different places, but I could not say which one I had.

Q. When did you get it?—A. One had been there several years.

Q. No, this particular one.—A. I could not tell you which one I had.

Q. When did you get the last one?—A. I suppose a couple of weeks before the trouble.

Q. Where?—A. I got it at Valentine's.

Q. Did you purchase it or borrow it?—A. I bought it.

Q. Did you buy the cartridges with it?—A. Yes, sir.

Q. Was it loaded when you went to the opera house?—A. Yes, sir.

Q. Now, why did you decline to answer Governor Vance's question whether you fired that pistol or not?—A. Those reasons are best known to myself.

Q. Yes, sir; but you are required to state some reason that brings it within the law.—A. I just simply decline to answer it.

Q. Well, you cannot decline unless you assign a proper reason for not answering. If you decline on the ground that it would tend to criminate yourself, you have that privilege.—A. Of course it is presumed that I do decline on that ground.

Q. Well, do you say that?—A. Yes, sir.

Q. Very well, I cannot press it.

Mr. VANCE. I must repeat that that is not a fair way to treat a witness.

Mr. LAPHAM. Well, that is the law, Governor.

Mr. VANCE. Of course, the very asking of the question indicates that the answer would tend to criminate him. I do not think he is compelled to do anything but just decline.

The WITNESS. I just simply decline to answer the question.

Mr. LAPHAM. I just simply speak of the practice in my own State, where a witness is required to state on oath the ground upon which he claims the privilege. And that is the common practice. [To the witness.] You decline to answer how many times you shot, I suppose?—A. I decline to answer the question at all.

Q. Where did you go when you left the opera house?—A. I simply walked out on the street.

Q. Do you mean you walked out on the street opposite the opera house?—A. Yes, sir; came right down the steps; went out into near the center of the street; I didn't stop at all.

Q. Where did you go?—A. I walked up on the main street.

Q. Up to where the white people were?—A. Yes, sir; I walked up to probably a small squad of white men.

Q. Didn't you see any of them with arms?—A. I only saw one white man with a pistol.

Q. Who was that?—A. That was Mr. Blunt.

Q. What was he doing with his pistol?—A. He had it in his hand.

Q. Did he not fire it?—A. I could not say positively whether he did or not.

Q. What is your best recollection?—A. Well, sir, my best recollection is that he fired it in the air.

Q. Do you remember anything that he said?—A. No, sir; I do not.

Q. Don't you remember he said, "Get out of the streets here, or we will kill you all"?—A. No, sir; I don't remember that.

Q. Well, he said something, didn't he?—A. I don't say whether he said anything or not.

Q. You saw no colored man with arms?—A. No, sir; I did not.

Q. Could you not say who fired first?—A. No; I could not.

Q. It had commenced before you got fairly out of the building?—A. Yes, sir.

WASHINGTON, D. C., *Wednesday, April 2, 1884.*

W. N. RUFFIN sworn and examined.

By Mr. VANCE :

Question. Where do you reside ?—Answer. In Danville.

Q. How long have you lived there ?—A. Five years.

Q. What is your occupation ?—A. Real estate and insurance agent.

Q. Are you a member of the firm of Ruffin, Woolfolk & Blair ?—A. Yes, sir.

Q. Were you present at the riot on the 3d of November ?—A. No, sir; I was not.

Q. Were you out of the city ?—A. Yes, sir; I had been sent to Patrick County, and got home that night at about 7 o'clock, I suppose; several hours after the riot.

Q. Did you subscribe to the Danville circular—your firm ?—A. Yes, sir; my firm did. I indorsed it. My partner, Woolfolk, signed it. I drafted the original of this circular myself. I was on the committee appointed by our club for that purpose, and I drafted the original of this thing. It was afterwards very much altered and amended by Judge Aikin; hardly a skeleton left of what I had written.

Q. Have you had any personal knowledge of the matters set forth in that circular? You can only speak, of course, of those you have personal knowledge of.—A. Well, it has been so long since; I have personal knowledge of a good many of them; but it has been so long since I have seen the circular that I would like very much to be allowed to scan it over.

Q. Certainly; have you a copy of it there ?—A. Yes; I have a copy.

Q. I will ask you some questions, if you please, on the part of it that relates to the indignities, and rudeness, and insolent conduct on the street by colored people towards white people.—A. I don't suppose there is any question about that.

Q. Have any cases of it come under your personal observation ?—A. Yes; several of them; a good many of them.

Q. Relate some, please.—A. The most glaring case is one that is in this circular somewhere, I think; but it don't make any difference whether it is in here or not. I can tell you. I cannot talk very connectedly; I have a lung trouble, and I breathe so bad.

Q. Well, tell it in your own way.—A. There was three negroes murdered a man named Shepherd, whom I knew very well. It was a very cold-blooded and outrageous murder—out, I suppose, two or three miles from Danville. They were arrested in the town and put in jail, and there was a good deal of excitement about it; and they were carried to Chatham, the county-seat of Pittsylvania County. The murder was committed in the county. They were just arrested in Danville and confined there, and then taken over to the court-house for trial. That was on Friday, if I recollect the day aright. The Sunday morning following I went down to the post-office to get my mail, and on the corner between Main and Union, and standing on the flagging crossing Union street, between Wiseman's drug-store and the old post-office, was standing a crowd of seven or eight negroes. There was a lamp-post on the old post-office corner, and by that stood a heavy guard-stone, to keep vehicles and that sort of thing off. The street is very narrow there; I should not say that it was more than 40 feet. I don't know the width of it, but there was a policeman sitting on that guard-stone, and a crowd of six or eight or ten negroes were standing on the flagging crossing

Union street, taking up the flagging, and people in passing had to go round. One of these negroes had on a pair of overalls, such as laborers wear, with a pocket right here [indicating]—just run your hand right down into it so and you could see in that pocket a pistol—revolver; about half the way down the revolving part of the chamber was exposed, and about half of it inside. He was abusing the white people in the vilest and most profane language possible, language that no decent man would care to repeat, the policeman sitting there listening at him. He said that he did wish to God he could have some chance of shooting some damned white man, interlarding that with a good deal that I can't repeat; at least I won't repeat it; it is not necessary; but I never heard such language in my life, saying that he never had had a chance to kill a white man, and God damn them, he just did hope they would give him a chance to shoot; nothing would do him so much good as to kill a white man; he would not care who it was, just so he was white, and, God damn them, he would like to kill them all. He went on in that strain for I don't know how long; and while he was talking he took this pistol out of his pocket (he had on a sack coat), or just rather waving it, not cocking it at all, but as he talked just toyed with it; and then put it in his side pocket here [indicating].

Q. That was in the presence of the policeman?—A. Yes, sir.

Q. What policeman?—A. I don't know; he is one of these Coalition policemen. I did not know what his name was; never did know what their names were.

Q. Did you know the name of the colored man who said that?—A. No, sir.

Q. How many negroes were present?—A. I suppose there were some 8 or 10; not a great many. I don't think there were more than that. I did not count them—just a little knot.

Q. What day was that?—A. My recollection is that that murder was committed on Friday, and that that was the Sunday following. It was in the morning, about 9 o'clock, I suppose.

Q. How long was it before the riot, if you remember?—A. Well, I could not tell; I forget; but it was two or three months—a couple of months, I suppose.

Q. Do you recollect when the murder was?—A. I think, sir, that that murder was in September; but I would not like—

Mr. LAPHAM. We have the proof that it was in July or August.

The WITNESS. I would not like to say. It was either the murder or the hanging, I think, took place in September; but I can't recollect the dates very well; I don't pretend to recollect them.

By Mr. VANCE:

Q. Do you recollect any other instances of rudeness on the part of colored people there?—A. Well, I have known them frequently to shove white people from the sidewalk. I have known them to go in between ladies and gentlemen walking, and I have heard a great deal of talk from them—just passing; you would overhear, as they were passing you, snatches of conversation. I recollect hearing one (I don't know what that negro's name was; I don't know anything about him) saying something about after the election they were going to have white wives, and saying something about white trash. I recollect on another occasion hearing a fellow saying something about children going to school. He says, "There is going to be a white child here and a colored child there, and then another white child, and then a colored child—laying it off in his hand—after the election. It was very common for them to—"

Q. How long before this riot did this rude behavior begin; had the colored people always done so since you have been living in Danville?—A. No, sir; no, sir; they hadn't. They have been gradually going from bad to worse under Readjuster dictation or training.

Q. To what do you attribute their peculiar irritability and rudeness in this last election?—A. To the training that they received from the Readjuster party. Do you mean where I think it proceeded from more directly than anywhere else?

Q. Well, generally; I only asked you generally.—A. Well, I have an idea who the men were who were poisoning them against the white people.

Q. I do not ask for that unless you know some fact that would prove it, but I ask you generally to what you attribute this?—A. To the influence of the party managers of the Readjuster party and the whippers-in of that party.

Q. A good deal has been said here about the race issue being drawn. I will ask you who was the most to blame for the drawing of that issue in Danville?—A. Well, I should say, without any hesitation, that in Danville the Readjusters were, because I have always been and am now a firm friend of the negro, and I think that he has as many admirable traits as any laborer on the face of the earth. I think he is the most docile, the most tractable, and the more easily managed than any laborer, and I say that after having had some pretty considerable experience as a railroad contractor, where we worked a large force, probably from six hundred to eight hundred men, and we had all sorts, and we always managed the negro more easily than any of them. At the same time you know how susceptible to all sorts of excitement and bad influences they are. Every wind that blows excites them and changes their course—blows them about; but I tried, and my friends will bear me witness that I was one of the most—as conservative as anybody—and I have talked to I could not tell you how many negroes—argued and begged them not to go off with that party. I never had any trouble with any of them in my life personally; and I tried, and tried, and tried, I and have had numbers of them tell me that, while they agreed with us, that it was as much as their life was worth to either not to vote or to vote against their party. If it is admissible as evidence, I can mention various instances of that sort.

Q. Well, that is evidence, according to our proceedings.—A. I tried to influence those votes. I never tried to buy one in my life; never used a cent of money at an election; never offered any bribes; but I did try to use every means in my power, as far as argument would go, to get them with us. I have a man living with me who has been living with me ever since I have been in Danville—

Q. Give his name.—A. Richard Davis; had never registered, and he came to me one day and told me that he had never registered and never voted since he had been in Danville; and he says, "You are the best friend I have got, and these colored people and church members is all after me about it." I will tell you in his language. "But" he says, "I want you to tell me now, Mr. Ruffin, what I must do." "Well," I said, "Richard, if I were in your place"—he said, "You are the best friend I have ever had, and I don't want to do nothing against you"—I said, "Richard, if I were in your place, I would not register, and I would not vote. So far as your vote for me is concerned, I would like to have it—meaning thereby for our party—but you are going to make enemies among your own people, and, if I were in your place, I would not have anything to do with it one way or the other. If you don't

vote they have got no right to complain of you." He said that was about the determination he had come to, and he didn't think he would have anything to do with it. They were building a Baptist church on Main street in Danville, between my house and our office, and he came down (we send him down for our marketing, and that sort of thing, every morning)—he came into the office one morning, came down there to get the marketing, and he told me that he wanted to see me. I told him, "All right." He said he would like to take me into the back room where he could see me privately. I went back there with him. He said that he was in a great deal of trouble about this voting. I asked him what about it. He said, "As I was coming on down by the Baptist church this morning a man came out there (he told me his name—one of the carpenters or bricklayers at the church—I forget the name); came out and told me, 'Look here, Mr. Davis; you going to register as you go down to-day?' I says, 'How you know I ain't registered?' He says, 'I know all about it; we have got a list of all that ain't registered, and you ain't registered.' He said, 'That's my business; I know what is my business and what's my intrust, and I ain't going to do nothing else.' He said, "He cussed me then, and said, 'I am going to see your preacher, and a man that don't vote is just as bad as a man that votes against us, and we are going to have you turned out of the church. You niggers shan't go about here doing in Danville just like you was all free. And, more than that, we will have your life if you don't go down there and register and vote.' I says, 'You ain't got nothing to do with that; that's my business, and I ain't told you I ain't going to register.' 'Yes,' he says, 'you won't tell me nothing; but we are going to have a man follow you night and day, and watch you; and,' he says, 'if you don't vote you ain't coming to my house. I done see the preacher myself, and he says you ain't going to take communion at his church; and if that don't do we cut your throat.' He says, 'You go on; you just let election day come on and you don't vote.' He says, 'When I went to church last Sunday they wouldn't none of them sit on the bench with me, and I don't know what to do. If I go back home I don't know whether them niggers going to do nothing or not, and I want you to get me an advance of money to buy a pistol." I told him I was not going to do any such thing; to go and let those negroes alone, and they would let him alone; and if any attack was made on him, I would defend him with my life, if need be. I had a negro named Jesse Carter. I say I had him—his wife was my cook, a most excellent, good woman she was; never saw a better one. I had been talking to her occasionally about Jesse, to get her to use her influence on her husband, and told her she had better advise Jesse not to vote, not to have anything to do with politics; that I hardly thought it was safe for them to vote with us in the state of popular feeling amongst their race, but I didn't think that anybody could complain if he didn't vote at all; they would have no right to complain; just let politics alone. Well, he had done me a good many favors of one sort and another, and he asked me (I suppose 6 months before that)—he asked me (as negroes very frequently do, you know)—when I got done with a pair of pants I was wearing if I would not give them to him. I have given many a pair away the same way, I suppose. I told him I reckoned I would. He said he always took pleasure in doing favors and palavered and bed-licked like they all do, and I gave him this pair of pants. I had worn them as long as I wanted to. I said, "Now, mark me, Jesse, I give you these pants because I promised them to you a long time ago; they have got nothing to do with your voting." He said, "I understand that." He said he had not registered. He came back to me in about

ten days, and told me his life had been threatened, and he had been threatened with excommunication from his church, and so on, for not registering, and that he had been compelled to register, and that he had come back to tell me about it——

Q. What was that man's name?—A. Jesse Carter. That he did not want to deceive me; that he had registered, and was going to vote; that he was voting against his judgment, and against his interest. "But," he says, "I can't help myself." Then the riot came, and the Monday morning after the riot (the riot was on Saturday, I think), his wife said, God knows she was certainly glad of one thing, and that was, Jesse was not going to vote at last. "When he told me that he was threatened with excommunication, he brought back the breeches!" "Well," I said, "I have got nothing on the face of the earth to do with them; I gave them to you; I am not trying to buy your vote; I wouldn't give every man in town a pair of breeches for his vote; the breeches would not hold out, and you go along and take them; I don't care anything about them." Then he renewed his protestations of regard, and all that sort of thing. Then his wife said in the morning after the riot, God knows she certainly was glad of one thing, and that was Jesse was not going to vote at last. "Well, why ain't he going to vote?" "I don't know, sir; I don't know nothing about how they are carrying on things here; but they say that Mr. Mahone, or somebody—I could not get his name exactly right, but I think they called him Mr. Mahone—sent a colored gentleman up here last night from Richmond; he came on the train, and called a meeting of the lodge, sent men all over town and called a meeting of the lodge, and got them all there, and he told them Mr. Mahone said they was not none of them to vote at all; and they told him, Mr. Ruffin, when they carried him in there. Before this man told them anything, he made each one hold up his hand and swear that they wouldn't say nothing about it." That is hearsay; I don't know anything about it, but I tell it as it was told to them.

Mr. LAPHAM. Yes; I should think it was.

Mr. VANCE. Yes; just such as we have been having all the time. Is there anything else in that connection?—A. Well, we used to hear those things every day there. I can't recall at the moment any other instance of the sort, but it was notorious there.

Mr. LAPHAM. That would hardly do.

By Mr. VANCE:

Q. Mr. Ruffin, aside from this extraordinary political excitement that got up there, what has been the general feeling between the whites and the blacks there?—A. As good and as kind feeling, I reckon, as exists upon the face of the earth between employer and employé. Now, in proof of that, it is impossible to get our white people, to get our business men, to employ white men for any service that a negro can perform.

Q. They give the black man the preference?—A. Yes; they give the colored men the preference.

Q. Is that ever complained of by white people?—A. Yes; it is complained of every day. I have had man after man to talk with me about that thing. Why, we could change the majority from one side to the other if our people could be prevailed upon to employ white labor instead of colored. Take away politics, and there never was a kinder feeling on the face of the earth between any set of laborers—servant and master—whatever you choose to call it.

Q. Laborer and employer?—A. Laborer and employer; and I will tell you how; I told you I was a real estate agent, and in the course

of my business as such, why, of course, we rent a great many houses and rooms, and all that sort of thing, and I hardly know of an instance where we rent to negroes where they don't run behind in the winter. The reason is—and you can appreciate it, coming from a tobacco country—that you cannot work tobacco in cold weather. The factories shut down, you know, three or four months in the dead of winter, and the expense of living, fuel, and all that sort of thing is very much higher, and nobody ever heard of a negro saving anything. It is a rare exception, at all events.

Q. They spend it all as a general rule.—A. And I hardly know of an instance where the men who employ these laborers do not pay the money, and some guarantee the payment of their rents when they go back to work.

Q. During the idle season?—A. During the idle season.

Q. Now, perhaps that is from the necessity of the case. When a man discharges his laborers—he closes his tobacco factory in the fall—could he supply their places with others in the spring, if he did not befriend them in the winter?—A. Yes; they come in in large quantities from all the surrounding counties.

Q. There would be no difficulty about that?—A. No, sir.

Q. What I mean is, that an employer is not obliged to keep them all winter?—A. No, sir; he is not obliged to keep them; every negro in that country almost knows how to handle tobacco. They are raised making it; you know how it is worked just as well as I do—you want muscle and not brains in it. You know how apt a negro is at anything of that sort. They could get an unlimited supply of labor. The wages that they pay would secure any sort of labor.

Q. What is about the rate of wages for good tobacco hands?—A. Better ask that of some of these tobacco men. I suppose you will have some of them here; but I suppose there is not any man that would not average \$1.25 a day; I have seen man after man there with \$20 Saturday evening that he had made that week. A great deal of it press men and those sort of men; they are paid by the day. Rollers and twisters and sorters, and all that class they pay by the piece and the pound, and all that sort of thing. But it is not unusual to see a man make \$20 a week, stemers, or twisters, and plug-makers, I think; but those fellows in turn undertake to roll the work, and they work for so much a pound, and they have a gang of little chaps that they hire; they pay a man so much, and he furnishes his own assistance.

Q. That kind of business furnishes employment to all classes of labor, women and children, does it not?—A. Yes, sir; I have seen them standing on blocks; could not reach up to the table, not that the table is higher than this, but benches with sides to them.

Q. I will ask you a general question, which perhaps you can answer, and perhaps not. Is it, or is it not the case, that there is at the bottom and under all a strong feeling of attachment to the colored people on the part of those who used to own them?—A. Yes; very decidedly; because some of the best friends I have on the face of the earth are negroes that used to belong to my father before the war. One of them risked his life in my defense on one occasion, and wanted to kill a man for me, but I stopped him, and if I were in distress I would go to those men as quickly as I would to any white men I know; and I would go knowing that they would give me what they had.

Q. Do they not come to you in the same way?—A. Yes, they do.

Q. Notwithstanding politics?—A. Why, we are supporting now two of them, and several of them have died. We are supporting now two

of them in their old age, because we will not send them to the county poor-house. And, strange as it may seem, Senator, when election day comes they go and vote against us. We tell them that they are fools, and that is the end of it. My father-in-law, Dr. Harvey, of Powhatan County, has supported six or seven who were superannuated when the war closed, and he has just kept them there living on his place until first one and then another has died, until now there is but one left; and I know that those old people were never sick that Dr. Harvey and his wife and his children did not go there to see them; and I never saw the morning when one of them was sick when their breakfast was not taken from our table and carried out there; they had medical attention; they had everything. They had been faithful, good servants; and I believe that is the rule and not the exception in Virginia. At my grandfather's, in Albemarle County, old Colonel Randal, they have got on their place now, I reckon, thirty or forty that were their slaves, and who have never known any other owner. I went there last summer for the first time in seven years, and his old cook, who had felt to me as if I was a relation, came to see me. I had had a long spell of illness, this lung trouble, and they all thought I was going to die with it, and I went home. When I went back to my grandfather's she came up stairs to see me and caught me in her arms like I was her own child. You have seen them do it many and many a time in your own country; and she says, "God knows I am glad to see you; I love you just the same as if you were one of my own children"; and this is the rule and not the exception, so far as I know.

Q. Now I will ask you further, if you can answer the question?—A. Right there I want to tell all I know; I will confess, that is, I don't make any confession, but I state, because I am not ashamed to state that there are some individual feelings of animosity; certain families that we know are bad men; we have got no use for them; I don't mean we love all of them just because they are negroes, but I mean we don't hate them because they are negroes.

Q. When there is any trouble, it is for cause, and not on account of color?—A. Yes, sir.

Q. I was going to ask you if you had ever known of any case of collision between the whites and the blacks, there was not some white men at the bottom of it?—A. Politically, you mean?

Q. Any kind of collision between the whites and the blacks when there was not some white man instigated it?—A. Never in my life.

Q. Do you or do you not believe that if they were not banded together and urged by political leaders that there would ever be any trouble between them and the whites in the South?—A. No, sir; I don't think there would be; occasionally you find a man there, as I presume you find in all countries, who don't deal fairly with his laborers, and there is some complaint about settlement and that sort of thing; but that is a rare exception.

Q. It is the exception and not the rule?—A. Yes, sir; a man in our country who defrauds his labor is discountenanced by everybody.

Q. I want to ask you about your office there; there has been some discussion here that a large number of arms were seen in there on the day of the riot. You say you were not at home?—A. No, sir; the riot was on Saturday, and I left home on Wednesday—I think it was Wednesday.

Q. Do you know of any arms being kept there?—A. No, sir; there was not any arms there; these people knew there was not. I myself counseled forbearance in every way possible, and told these people

always, both sides; I advised them not to go. I have got a pistol myself. I thought that that thing was coming, and I got a pistol just as I was going to dinner one day, and I carried it up home, wore it that evening, and carried it in my hip pocket here. Well, I felt like I had stole something, carrying a pistol about all the time that way. I never had carried one in my life, and I went home to supper and put it on top of the wardrobe, and it is there now.

Q. You felt guilty carrying the pistol?—A. No, sir; I had never any idea anybody was going to kill me; from what they told me——

Mr. LAPHAM. That is not evidence.

The WITNESS. I advised my clerks to arm themselves as a precautionary measure, but I never did persuade them to do it. Charles Friend, one of our clerks, said he had a pistol out at home, but it was out of fix. I don't know where he said he got it. Somebody had given it to him, or something, and he said he believed he would bring that down town and have it fixed, and he did bring it down, and I reckon it is in his desk now. No human being can revolve it. There were no arms there. Dr. Robinson left his gun there; you know how that was done. The Richmond Whig congratulated us on the long chain of fortunate circumstances, about having that gun there and all that sort of thing; but it was as purely accidental as anything ever was on the face of the earth.

Q. Was that the one that Dance had?—A. Yes, sir; Dr. Robinson had a gun——

Mr. LAPHAM. He seems to know all about it, although he was not there at all.

The WITNESS. I don't say I know about it; I thought you told me to tell what I had heard of it.

Mr. VANCE. I asked him if that was the one that Dance told him he used, and he said it was.

The WITNESS. I don't profess to say anything of my own knowledge.

Q. Were you a member of any political organization?—A. Yes, sir.

Q. What club?—A. A Third ward Democratic club.

Q. Were any steps taken, or advice given, or any resolutions passed at any time by the club concerning the policy of avoiding violence or collisions with the blacks?—A. It was counseled from first to last all the time.

Q. Was it considered the policy of the party not to have any collision?—A. Yes, sir; the only speech I ever made in my life was in our club about that thing one night.

Q. Do you know any facts that would give the committee information?—A. We counseled forbearance throughout in that club, and we always took the ground that if that thing had to come, in God's name, to let us be on the defensive, and not the aggressive.

Q. I was about to ask you if you knew any facts tending to show that this riot was premeditated and procured to be brought about by the white people?—A. No, sir; I don't believe it was.

Mr. LAPHAM. I object to that last question.

By Mr. VANCE. Q. I did not ask you for your belief. I asked you if you had any facts looking in that direction, showing it was premeditated. You say not; you need not add anything more.

The WITNESS. Let me understand you—you objected——

Mr. VANCE. He objected to your saying what you believed about it. I only ask you if you know any facts looking in the direction, showing that the riot was premeditated. You said you did not, and then added that you did not believe.

THE WITNESS. The riot premeditated by the white people?

Mr. VANCE. Yes.

The WITNESS. No, sir; it was not premeditated by the white people.

Q. So far as anything you know?—A. All of us who were there know that wherever we found a fellow that was inclined to be hot-headed that we sent people to interview him. I have been in several of them myself, and cautioned forbearance, and told them that it was better to let the thing wear out, and to beat them at the polls, than to have any riot, or anything of that sort.

Q. Do you think this Danville circular headed "Coalition rule in Danville," that you have there, is substantially correct or not?—A. Yes, sir; I think it is; I know it is. As I told you just now, I have not read this thing; I have not read this thing since it was sent out, I don't reckon, and I would have to read it over again if you want to examine me specifically.

Q. No, we will not take that time.—A. But I think it is; I know it is substantially correct. There is one thing in it that I objected to at the time, but I thought it was a matter of such small moment we might just as well let it go; that we would have had to write it all over.

Q. What was that?—A. It was something about the market. Let me see if I can find it. [Examining paper.] Yes, here it is:

The market once occupied in all its stalls by polite white gentlemen, with their clean white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petit thieves.

Well, we never did have a good market in Danville; we had the toughest beef and the poorest beef, I reckon, you ever saw—you know we got them up out of North Carolina.

Q. Oh, no.—A. But I thought the market as it used to be was overdrawn; and while it was a horrible place, I thought we rather overdrew it here—colored it a little too high. It was a dreadful place.

Q. It was a bad place; but it had not been such a wonderfully nice place before that?—A. No; there was good order there; but we didn't have any of the "enticing meats" that these gentlemen speak of—at least I never got any of them. Occasionally we got some, but that is the only thing that I objected to at that time. I don't pretend to say, and never have said, that I could be put upon my oath and swear to every statement in this thing, but I have not put anything there that I did not honestly believe from the representations of respectable men. Now, I prepared the original of this circular myself, and they didn't exactly like it, and Judge Aikin took it and revised it, and cut it all to pieces, and amended it in various ways, and made it a very much better paper than I had it; and he put in that thing about the markets.

Q. He got hold of some better North Carolina beef than you did, I reckon?—A. Well, he came from North Carolina himself, and liked it better than I did, I reckon; liked it; used to it; raised on it.

Mr. Sims testified here that he met you once on the cars and had some conversation with you.—A. Yes; I saw that in the papers.

Q. He testified as follows:

The day before I had conversed with one of the signers of that circular, Mr. Ruffin—

A. Yes, sir.

Q. (Continuing:)

whom I met casually on the train, and who saw me reading that circular. He approached me and asked me with a smile on his face where I got that paper. I told him it was sent to me by a political friend from a distance, and I was amazed at it.

His answer was, "We intended you to be amazed at it, and if somebody had not leaked, you wouldn't have had one of them now. We intended to spring that on you before you had a chance to answer it." I said to him, "Mr. Ruffin, how could you sign such a paper as that, knowing, as you must know, that nine-tenths of the allegations in it are false?" His answer was that it had been brought to him to be signed by a member of the town committee; that Colonel Cabell was the chairman; that he said it was all-important that it should be signed by high men in Danville, so as to influence the people in the southwest, and that he (Ruffin) at first had refused to sign it, because he did not know that but one allegation in that circular was true, but he was assured by the party who brought it to him that he could find others, so as to have at least one respectable man as a witness to every allegation of the circular, and that under these circumstances he (Ruffin) had signed the name of his firm, of Ruffin, Woolfolk & Blair, to that circular.

What do you say about that conversation with Mr. Sims?—A. Let me read that, sir, if you please. I have never seen it. I have got right smart to say about that.

Mr. LAPHAM. I suppose the first question is whether he had the conversation, is it not?

The WITNESS. Yes; I had a conversation. [After reading testimony.] I told you just now, when I first took my seat, that I had been sent to Patrick County before the election by our people there to do some work for the party up in Patrick County. I went up on Wednesday, if I recollect the day. I went down (I had been sick)—they had been wanting me to go; I had been selected to go because they were building a railroad through there with which I had been connected, and had a large acquaintance in the county, more than any man in Danville, probably, except Colonel Cabell, and for that reason I was selected to go. I had been laid up with an abscess on my lung, and they had been waiting for me, I suppose, a couple of weeks to make that trip. Finally, my doctor told me he thought I was well enough to go, but that I had better take some cough mixture or something along with me, and told me that the best thing I could take was some rock and rye; so I got a flask of rock and rye. I went down to take the train leaving at 1 o'clock, and I had lunched before I went. Just as the train was starting Colonel Sims got to it. I think it was just beginning to move off when he got there, and he had more papers and documents than any man I ever saw, I think. He was going, he said. He came in badly blown; said he came very near being left and had run pretty much all the way down to the depot; going up to make a speech at Cascade. The colonel and I were on very good terms, and I told him he seemed to be very much blown and he had better take something to drink; that I had a flask of rock and rye in my overcoat pocket; and he said, "Well, I will take a drink with you." I told him to please excuse me; "I have just had my dinner; don't care for anything to drink." I gave him the flask, and he took a drink out of it. We were in a second-class coach (I was smoking), in the little narrow-gauge road we have got there. That has got three compartments in it. First is a second-class room for passengers; then comes the baggage compartment, or apartment, which ever you choose, and behind that a smoking-room. We were in the front end, and after he took the drink we went in and sat down, and he asked me what was the news, and so on. Finally he says, "Have you seen this?" and handed me a little handbill circular about the size of the half of that [indicating the Danville circular], signed "William Mahone, chairman," and denouncing the circular here very bitterly. I told him no, I had not seen it; did not show me this thing at all. I don't know that he had one. I never saw that. The only thing that he showed me was that thing, and I told him, I didn't know; had never seen it. He says, "Well, he is going to answer it at length to-night—

going to send out 50,000 copies from Richmond to-night." I said, "Well, it is not possible, colonel, that we little fellows in a little place like Danville can get up a circular that requires two answers over the boss's own signature, is it?" He says, "Never mind about that; he will answer it, and he will kill it" (I think he used the word "kill" it). Well, I told him it was all right, and he said, "You all thought you were mighty smart getting that thing out so secretly." "Why," I said, "it has been out a fortnight." He said, "Yes, I know it has; we had a copy of it; we had a copy of it before it was dry from the printing press." "Then," I said, "it has taken you a long time to answer it." He said, "We wanted to get all the facts." I never told Colonel Sims that I signed that thing. I could not have told him, because I didn't sign it; Woolfolk signed it. I never did sign it. I went away from Danville after it was prepared, while the thing was sent around for signatures, and I left Danville, and Woolfolk signed it. I never did sign it, but Colonel Sims asked me, began to cross-question me on it, and I declined to be cross-questioned by him. I told him that that thing could only lead to one end; it was not worth his while and mine to get into a wrangle over politics, and that I was not going to discuss politics with him; that it could have but one end, and that I would not do it.

Q. Did you tell him you did not know anything of it to be true except one allegation?—A. No, sir; I didn't; I never told any one so. That is another thing I could never have said.

Q. Did you tell him that, while you did not know but one allegation to be true, you were assured by the party who brought it to you that he wanted at least one good witness, and that induced you to sign it?—A. No, sir; I didn't tell him that, because I didn't sign it. I never did sign it, and I could not have told him that I had signed it.

Q. Did you tell him it was not intended to be found out that it was issued?—A. No, sir; I didn't tell him that. The thing was sent through the mail after it was gotten up. I think I did tell him, when he said he thought we were getting it out very secretly—I think I did tell him that we did not think that Mr. Mahone would expect us to send him the proof-sheets before we published it.

Q. How many drinks did Sims take out of your flask?—A. I don't know.

Q. What is the size of your flask?—A. A pint, I suppose.

Mr. LAPHAM. That is not competent.

Mr. VANCE. Why is it not competent? The witness Sims spoke of taking a drink out of a flask, and went on to relate a long conversation. It affects very materially the character of that conversation to know how many drinks he took out of that flask.

The WITNESS. I can tell you all I know about that; but I did not see him take any drinks out of it but that one.

Q. Did you leave the flask with him?—A. No, sir.

Q. Did you leave it where he could get at it?—A. We were sitting in the front end of that car as I told you, and after our conversation I staid there a few minutes, and then went back into the first-class coach with some of my friends. I left my overcoat, with the flask in the pocket, in the baggage room in that car. Well, the train—that narrow-gauge road at that time—when we got to the Leaksville Branch—there is a branch road going in at Leaksville called Leaksville Junction, and the train going to Henry County, when we got to that branch junction, would run up 8 miles and then come back and then go on up. My friend Jesse Noel was with me—he has a rock quarry just at that junction. He asked me to get off with him and examine his quarry. We had

about an hour there, and he and White Earll and myself got up and went up to the rock quarry. Sims, as I told you, was going to Cascade to make a speech. Cascade is 23 miles from Danville, and about a mile and a half or two miles from that junction. Sims came back to Leaksville and went up the main line. We three had gotten off. White Earll had left his overcoat with some packages in the front end of that car. We had been smoking when he got on the train; and when we got back on the train, when it came back from Leaksville, White went forward to get his baggage, and came back in the car where we were and says, "Sims"——

Mr. LAPHAM. I object to that.

By Mr. VANCE:

Q. Did you see Sims any more?—A. Saw him at Cascade.

Q. When he got off?—A. Yes sir.

Q. What was his condition?

Mr. LAPHAM. I object to that. It clearly is not competent under any rule of evidence.

Mr. VANCE. I should like to know what is competent.

Mr. LAPHAM. We had that exact question yesterday when Senator Sherman was here.

Mr. VANCE. Let the matter be understood, Mr. Senator. Here is one witness relates a conversation that occurred on the train, and another witness——

Mr. LAPHAM. It was a long time after the conversation.

Mr. VANCE (continuing)—relates another conversation the same day and very nearly the same time. I propose to show the condition that one of the witnesses was in; that he was drinking.

Mr. LAPHAM. Well, it was long after the conversation.

Mr. VANCE. It was the same trip. You do not know but what some more conversation took place.

Mr. LAPHAM. There is no claim that they had but one.

Mr. VANCE. Well, I want the record to show that I proposed to show that the witness Sims was drunk on that occasion.

Mr. LAPHAM. Reserve it, if you please, until Senator Sherman comes in. That is the better way.

Mr. VANCE. Very well.

Q. Did you have any conversation with Sims when he got off at Cascade?—A. No, sir; he got into a wagon with two negroes and went off to keep his appointment.

Mr. LAPHAM. I object to that.

Mr. VANCE. Proof that he got into a wagon with two negroes and went off?

Mr. LAPHAM. Yes, on two grounds; first, you did not ask him anything about it, and it is a voluntary statement; and next, it is wholly improper and irrelevant.

Mr. VANCE. Why so?

Mr. LAPHAM. It has nothing to do with the question you are inquiring about.

By Mr. VANCE:

Q. Well, what was the condition of that bottle when you got it?

Mr. LAPHAM. The same objection to that.

Mr. VANCE. Is there any objection to proving the bad character of a bottle?

Mr. LAPHAM. Yes, on a Virginia train. That train was open to all the passengers on the train.

Mr. VANCE. Well, I have a right to ask the question if his bottle had anything in it when he got his overcoat?

Mr. LAPHAM. And I have a right to object.

Mr. VANCE. Yes, if you can show any legal ground to object, you can.

Mr. LAPHAM. Well, I object to it as wholly improper, not tending to any subject of inquiry before this committee.

Mr. VANCE. That is a matter of assertion; that is not a reasoning.

Mr. LAPHAM. We will reserve that until Senator Sherman comes in.

Mr. VANCE. I want the record to show this.

Mr. LAPHAM. Of course it will show the questions and objections.

By Mr. VANCE:

Q. When you went out of the car, you say you left your overcoat, with that bottle in it, on the back of the seat where Sims was sitting?—

A. No, sir; I did not; I beg your pardon; I said I left it in the baggage compartment of that car.

Q. Had you and Sims been sitting in there?—A. We had been in the front end; there were three compartments; we were in the front one. Then came the baggage compartment; then behind that was the smoking-room; we had been in the second-class coach smoking, and not smoking in the smoking-room.

Q. Where were you when you gave Mr. Sims a drink?—A. We were at Danville; just starting out from Danville.

Q. I mean which compartment?—A. The forward one, in the one we had the talk in; the second-class.

Q. Is that where you left your coat?—A. No, sir; I took it off and left it in the baggage compartment.

Q. Is that where you took the drink?—A. No, sir; he took the drink in the front end.

Q. And then you carried your coat back?—A. Yes, sir; I took my coat back; in the same car, but in the baggage compartment; the baggage compartment is right in the middle of the car, 10 or 15 feet long; the car is cut in three compartments; he took the drink in the front end, and then I took the coat and put it in the baggage part of the car.

Q. Where did you have your talk, after the drink was taken?—A. In the front end.

Q. Did you go back where your coat was any more?—A. Not until we got to Cascade.

Q. Did he come into the regular passenger car, or did he continue to ride in there where you saw him?—A. I don't know whether—he didn't while I was on the train. When he went to Leaksville he might have been in there. I was not on the train when he first went to Leaksville.

Q. Yes; you got off to go to the quarry. Well, the train went up to Leaksville and back?—A. Yes, sir.

By Mr. LAPHAM:

Q. What is your native place?—A. Where was I born, do you mean?

Q. Yes.—A. I was born in Albemarle County, and raised in Chesterfield County, Virginia.

Q. Were you ever a slaveholder?—A. I do not know whether I was or not. I had a little boy that my father gave me; but I was not of age. My father was a slaveholder.

Q. You were not of age at the emancipation proclamation, then?—A. No, sir

Q. You say you prepared this circular entitled "Coalition Rule in Danville." Did you prepare one?—A. Yes, sir.

Q. By whose direction?—A. There was a resolution offered in our club that we should prepare a paper of this sort, setting forth our grievances there under Coalition rule, and circulate it among the white people of the State, that they might see in what a fix we were then.

Q. Why do you tell this in so many words; now, I asked a specific question?—A. Well, repeat it, please.

Q. By whose direction did you prepare it?—A. Well, sir, it was by a resolution of the Third ward Democratic club.

Q. That answers the question properly; Democratic club?—A. Yes, sir.

Q. Have you got the draft you made?—A. No, sir.

Q. Do you know where it is?—A. No, sir; destroyed, probably.

Q. When you saw this after it had passed through the hands of Judge Aiken you did not recognize it as your offspring; you said it was a new thing?—A. There was a good deal of it in there as I had it; very much altered and amended, though.

Q. Did you not make the statement in your direct examination substantially that it was entirely remodeled?—A. No, sir; I said I had prepared—I meant to say that I had prepared this original paper.

Q. Yes; you did say that; but I ask you if you did not say that Judge Aiken's alterations changed it entirely, substantially?—A. No, sir; I didn't intend to say that, because I did not intend to convey that impression. While the paper is very much changed, there is a great deal in it as I wrote it originally.

Q. Well, there is a circular here that has been termed the "Ruffin circular." Do you know what that paper is?—A. Well, I reckon I do. I don't know what the "Ruffin circular" is; I wrote a letter to Mr. Newbury, of Bland County.

Q. What day did you write that?—A. I could not tell you. It was during the campaign down there; before the November election.

Q. Did you not prepare a circular to which the signers of this circular entitled "Coalition rule" made affidavit of the truth of the statements in it?—A. I think that some time immediately before the election, probably—

Q. I am not asking anything about the time; I am asking about the fact.—A. Well, I was going to state what I know about it.

Q. I ask you if you did not prepare it? It is very easy to answer that.—A. I do not recollect whether I did or not. I think it is very likely I did. I was going to tell you, though, what I knew about that.

Q. Well, wait until I ask you. Did you have anything to do with authenticating the proceedings of the meeting at the opera house Saturday afternoon?—A. No, sir; I was not there.

Q. No; I know you were not there—in preparing it for the press?—A. No, sir.

Q. Do you know when this paper was made in which the subscribers to that made affidavit to the truth of its statements? Do you know what day that was?—A. What day what was done?

Q. When those who subscribed to the original circular made affidavits that the statements in it were true?—A. Do I know what day it was?

Q. Yes. Was it before the election?—A. Do you mean, now, the indorsement at the opera house?

Q. No, sir; I do not mean that at all.—A. I wish you would let me state what I know about that. I will try to state it fairly.

Q. When I want it I will I ask you. Now I want an answer to my question—A. Some gentlemen——

Q. I want to know whether you have any knowledge as to when the circular was drawn up in which the subscribers——A. Made affidavit that it was true?

Q. Yes.—A. No, sir; I know that it was done.

Q. Was it not before the election?—A. I know that it was done about ten days or a week before the election; that is my impression.

Q. That is enough.—A. But I would like to qualify that.

Q. Well, that you have a right to do.—A. Gifford Seldon, a friend of mine, who lives in Harrisonburg——

Q. Oh, I do not want details about it; that will hardly do.

Mr. VANCE. Senator, I think you ought to allow the witness to make his statement in his own way.

The WITNESS. I should like to have stand on the record what I know.

Mr. LAPHAM. The difficulty is, I did not call for what other people wrote or said to you, and I do not want it on my examination. I am simply inquiring as to your knowledge; what prompted you to do it.

The WITNESS. All right, sir.

Mr. VANCE. You insist on the witness answering the question just to suit you; and I think he ought to answer it to suit himself.

Mr. LAPHAM. No, sir; I do not insist on his answering to suit me. I insist upon his answering the question truly, and to answer the question; none other.

Mr. VANCE. He asked to qualify his statement.

Mr. LAPHAM. I asked him simply the question whether he prepared that statement containing the verification of the truth of this original circular, and when it was done.

Mr. VANCE. He said he did and then he went to qualify it.

The WITNESS. I do not know whether I did or not; I believe I did.

By Mr. LAPHAM:

Q. How long was it before the election, is the other question.—A. My recollection is that it was a week or ten days.

Q. How extensively was that circulated?—A. I have no idea.

Q. It was printed in large numbers, was it not?—A. I have no idea.

Q. Where was the Danville circular, as it is called, first printed?—A. I do not know that. I think they were first printed on Walters' press, in Danville.

Q. Did you not sign and swear to the statement confirmatory of the Danville circular?—A. Yes, sir.

Q. So that you adopted it, and verified it in a subsequent paper that was issued?—A. Yes, sir; and I believe it is true now.

Q. Do you know whether at the time you met Sims he had that paper?—A. This? [Referring to Coalition rule circular.]

Q. No, sir; the other, the verification?—A. No, sir.

Q. You don't know whether he had it or not?—A. No, sir; the only paper that Colonel Sims called my attention to was the answer.

Q. Yes; you have stated that.—A. The answer of General Mahone?

Q. Yes; you have stated that. You say you people there at Danville don't employ the white men. Why don't you?—A. Because we prefer negroes.

Q. Why do you prefer them?—A. The best labor; more easily managed, and they do more work.

Q. They are better hands than the poor whites, are they not?—A. I think they are.

Q. More reliable?—A. I cannot say that; they are more able to do the work.

Q. Very well; more able?—A. Yes, sir; and they are more regular at work.

Q. And the poor whites complain of that, you say?—A. Yes; they do.

Q. Well; that gets up a labor prejudice between them, does it not?—A. I don't know that; they work side by side very friendly.

Q. Oh, well, now, that is not an answer to my question. Do you not know that produces labor prejudice?—A. No, sir; I don't think it produces labor prejudice.

Q. Well, that answers my question. You think there is no feeling of prejudice or complaint for white people employing colored men; you think that does not generate any feeling as between the two, poor whites and the colored people?—A. No, sir; of course there may be exceptional cases of that; but it is not the general rule.

Q. The mass of the poor whites there are Democrats, are they not, the great bulk of them?—A. Yes; about 99 out of a hundred, I think; may be 999 out of 1,000.

Q. Do you know of any resolution in your club withdrawing the patronage from the Readjusters and colored traders there?—A. Yes.

Q. When was that passed?—A. I don't know that.

Q. Well, about when?—A. I could not tell you to save my life. I suppose it may have been in October.

Q. Well, that is near November. Was it published in the Democratic paper there?—A. I don't know that; I don't recollect; I don't recollect having seen it in print.

Q. Was it known that such action had been taken in your Democratic club, or was it secret action?—A. No, sir; it was not secret; it was known.

Q. The colored people knew it?—A. Yes, sir.

Q. The dealers in the market knew it?—A. Yes, sir.

Q. And support was withdrawn, was it not, to some extent?—A. I withdrew mine.

Q. You did your part, then?—A. Yes, sir; I tried to do it.

Q. As a good Democrat you performed your duty?—A. Well, I tried to do it.

Q. Do you know also of a proposition to refuse to rent to that class of people as tenants?—A. Yes; I know about that.

Q. Was there a subscription paper circulated?—A. Yes, sir; they started to circulate it, but could never do anything with it.

Q. Well, the proposition was to reimburse those who failed to get rent, if they would refuse to rent to that class of people, was it not?—A. No, sir.

Q. What was the subscription for?—A. They just wanted these people—there was a faction there of extremists——

Q. What was the subscription for, was my question?—A. I understand [continuing]—who wanted the property-holders to refuse to rent their tenement houses and cabins, and such houses as the colored people were renting; to refuse to rent them to them; but it met with very little favor, and never amounted to much.

Q. That answers it. Then it was only a subject of discussion in your club?—A. It was the subject of discussion, and I think that the paper

was actually drawn up, and may have received some signatures ; think it did ; but it never amounted to anything.

Q. When was it you got a pistol ?—A. I reckon it was about two weeks before the election.

Q. And you were so ashamed of it that you took it home and laid it up, and it is there yet ?—A. Yes, sir ; never carried one in my life.

Q. Is it loaded ?—A. Yes, sir.

Q. At the same time you admit that you advised your clerks to arm themselves ?—A. Yes, sir ; and I admit that I would have used my pistols if occasion had required.

Q. I did not ask that ; I can guess at that myself without asking.—A. Yes.

Q. Now, you don't know what arms were in your office on Saturday, do you ?—A. No, sir ; never professed to know.

Q. There may have been a hundred there, and you not have known anything about it ?—A. Yes, sir.

Q. You did not get home till about 7 o'clock ?—A. I did not get home until 7 o'clock, and I did not go to my office any more for six weeks. I got home, and was laid up with congestion of the lungs.

Q. Well, I will inquire about that presently. That was because you left your overcoat in a November day in a car ?—A. That was the last part of October.

Q. This was a part of that trouble I believe ?—A. No, sir ; it was not.

Q. Who is Dr. Robinson ?—A. He is a practicing physician in Danville ; a very good man ?

Q. Is he a Democrat ?—A. Oh, yes.

Q. What is his full name ?—A. William L. Robinson.

Q. Who is T. N. Robinson ?—A. I don't know.

Q. You do not know any such man ?—A. If I knew what his name was—whether it was Tom—

Q. T. N. Robinson is the signature.—A. I know a Ned Robinson ; but I really don't know whether his name is T. N. or not.

Q. Is he a relative of the doctor ?—A. I don't know that.

Q. Is he a Democrat ?—A. Ned Robinson ?

Q. Yes.—A. I do not know that.

Q. Is he not a member of your club ?—A. I don't know that. I don't know about that T. N. Robinson. Some of those other gentlemen here probably know about him.

Q. He is a white man, is he not ?—A. I do not know about that. I don't know who T. N. Robinson is. Ned Robinson is a white man, and I think is a Democrat.

Q. That comes pretty near what I wanted.—A. But I don't state that, because I don't know it.

Q. You have stated all the conversation you had with Sims, as near as you recollect it, have you ?—A. Yes, sir.

Q. Are you sure you have stated all ?—A. I think I have stated every bit of it.

Q. Do you not think you said to him, as you have sworn here, that you did not approve that statement about the market ?—A. I don't recollect that I did.

Q. No ; you do not recollect that you did ; but do you recollect that you did not ?—A. I do not think I did ; but it has been so long ago that—

Q. Well, you would have been very ready to state it, would you not, if that had been referred to ?—A. I presume I would have never hesitated to say it to anybody else.

Q. You may have said it to Sims?—A. I may have done it, sir, but that is all; I do not think I did.

Q. You were sent out by the club on Wednesday before this riot?—A. I was not sent out by the club.

Q. Well, sent by your political associates?—A. Yes, sir.

Q. To do some political work?—A. Yes, sir.

Q. Did you take the Danville circular with you?—A. About 2,000 of them, I reckon.

Q. Did you take the circular containing the confirmation of the truth of it on oath?—A. We never had that at Danville.

Q. That was not used in Danville?—A. No, sir.

Q. Where was that sent?—A. It was sent to Harrisonburg.

Q. Where is that?—A. In Rockingham County.

Q. How far from Danville?—A. It is about 200 miles, I reckon. It is in the valley of Virginia, in Judge Paul's district, Senator Riddleberger's district.

Q. Do you not know that the fact was published and circulated there?—A. No, sir.

Q. Where did you go during these three days you were away?—A. I went to Patrick Court-House.

Q. And you took 2,000 of the "Coalition Rule" circulars?—A. That is my recollection. I took a good many of them, and sent them all over the county; I think it was about 2,000.

Q. That is a county the main population of which is white, is it not?—A. Yes.

Q. Did you take any other?—A. Numbers of them went there.

Q. Did you take any other document relating to affairs in Danville except that?—A. I think not.

Q. During your absence, did you see any other circular relating to affairs in Danville, except the Danville circular?—A. I do not recollect now. I didn't stay at Patrick Court-House but about twelve hours.

Q. Well, wherever you were, did you in the course of that journey?—A. I don't recollect. I didn't leave all those circulars there. I went to Henry Court-House, too, and my recollection is, come to think about it, that I left some at Henry Court-House and carried the balance on to Patrick.

Q. Very likely. How long were you and Sims there smoking?—A. About ten or fifteen minutes, I reckon.

Q. You thought that would be good for your lungs, I suppose?—A. I don't recollect thinking anything about it much.

Q. Did it not occur to you, now, that sitting in a smoking-car would not be very good for you?—A. No, sir.

Mr. VANCE. Senator, what light can that throw upon the violation of the constitutional rights of the people of Danville?

The WITNESS. I do not object to that, Senator. I smoke a great deal.

Mr. VANCE. I know; but I object to it.

Mr. LAPHAM. That is a legitimate cross-examination.

Mr. VANCE. I do not see what effect it has, especially when you would not let me show how much whisky was in that bottle.

By Mr. LAPHAM:

Q. I understood you to say you did not take any?—A. I did not until after I got to Henry Court-House. Then I took one drink.

Q. I did not ask that—how many did you take on the car?—A. I have detailed that, as exactly as possible, according to my recollection.

Q. Did you know that the name of your firm was put to that circular before it was printed?—A. No, sir; I expected it to be there.

Q. Well, you did not disapprove of the fact of the signing?—A. No, sir; I approve of it now.

Q. I am asking you about it then.—A. No, sir; if he had not signed it, I would if it had been presented to me.

Q. It was legitimately, then, the act of the firm?—A. Legitimately.

Q. And the affirmation of the truth of it you did sign and swore to it?—A. Yes, sir.

Q. What kind of a day was this, this Wednesday you started out?—

A. It was a bright, clear, autumn day.

Q. The first day of November, was it not?—A. I don't think it was. Tuesday was the 3d—wasn't the election the 3d?

Mr. VANCE. The 6th.

Mr. LAPHAM. Saturday, the day of the riot, was the 3d.

The WITNESS. I don't recollect the day of the month; my recollection is that it was Wednesday; I can count up; I don't know exactly whether it was Wednesday; I can count up, though, to see.

Q. How far did you go? You left the train there, and went to where—a quarry?—A. Yes, sir.

Q. How far?—A. I reckon about 200 yards; not more than that.

Q. How long were you there?—A. About an hour.

Q. Was it not a cool day?—A. It was cool enough.

Q. And you were without your overcoat?—A. Down in Virginia, the autumn days are not very cool, generally, except in the morning.

Q. No; you have a lovely climate in Virginia. I have often praised that. Those days are the worst to take cold here, and I suppose they are there. You had not on any extra wraps, had you?—A. No, sir.

Q. You were taken ill upon your return, and had nothing to do with keeping the peace there? You were not appointed on the watch or guard?—A. No, sir.

Q. You were shut up in the house?—A. No, sir.

Q. Did not get out to the election?—A. Yes; I did.

Q. You did vote?—A. Yes, sir; I went in a carriage, and then went home and went to bed.

Q. You were confined for how long?—A. I think it was about six weeks.

Q. With that same trouble with your lungs that you described?—A. Yes, sir. Well, I was confined that long, driving out occasionally; but never able to do any business.

Q. Well, the difficulty was in your lungs?—A. Yes.

Q. I think you said that you did not go to your office that night, nor for that period of six weeks?—A. I don't recollect having been there. I may have gone there while I was driving out sometimes; but I don't think I attended to any business.

By Mr. VANCE:

Q. Do you think your relapse there that time was owing to the absence of that overcoat, or to the loss of your medicine which was in the bottle in the coat pocket?—A. Well, I don't know that either had anything to do with it. I had to get some more spirits when I got to Henry Court-House. I had left about half of what I had when I started; but I don't know who drank it; I just know that I did not.

Mr. VANCE. Well, you wanted to explain something about the indorsement of that circular and you were not permitted to do so; will you now explain it?

Mr. LAPHAM. Well, Governor, he was going to state what somebody wrote. I object to that unless he produces the letter.

The WITNESS. I just wanted to state, sir——

Mr. LAPHAM. Wait a moment.

Mr. VANCE. What is the reason that he cannot explain? He said he desired to explain how it was, and you would not permit him to do so.

Mr. LAPHAM. Well, I did not want him to, because he was proceeding to state what somebody had written, which was not competent.

Mr. VANCE. Well, perhaps he will not state it so.

Mr. LAPHAM. If he states anything of his own knowledge, I shall not object to it, of course.

By Mr. VANCE:

Q. When you were asked if you had not prepared the statement corroborating this Danville circular, you said yes, and you desired to modify it, and were not permitted to do so. Now make what modification you wish to make.—A. I just wanted to explain how it was that we came to take affidavits that this circular was true. I wanted to state why it became necessary for us to get up those affidavits.

Q. Why was it necessary?—A. Because we were informed—Mr. Seldon, of Harrisonburg, in Rockingham County, informed me that if we could authenticate that circular it would carry Rockingham County and save all the other counties in the valley.

Q. You were informed that its authenticity was disbelieved?

Mr. LAPHAM. I am very much obliged to you for that.

Mr. VANCE. Yes, I thought you would be, and so if you would hold still and let the testimony all come out, you would be in a better condition, I think. [To the witness.] Now, you desired to say something about the meeting in the opera house.

The WITNESS. No, sir; I didn't want to say anything about that. I don't know anything about it.

Mr. VANCE. No; you were not there that day.

The WITNESS. I was not in Danville. I don't know anything about that, nor anything that was done there.

By Mr. LAPHAM:

Q. Do you hold any office in Danville?—A. No, sir.

Q. Did you ever?—A. No, sir.

Q. You have been a prominent political worker for how long a time?—A. I never was in my life.

Q. Why, you were last fall?—A. No, sir; I was not.

Q. Well, political worker?—A. Well, I did just what everybody else in our country did—I did all I could—but I never had anything to do.

Q. Had you ever before taken an active part in politics?—A. Yes, sir.

Q. Well, that is what I asked you.—A. But not in Danville.

Q. Before you came to Danville?—A. Never had anything to do on the earth with but two elections in my life; one was the Walker and Wells campaign in Virginia in 1869.

Q. Well, that was when you elected my friend, Governor Walker?—A. Yes; and carried a negro precinct for him. And I never had anything more to do with politics until this last time, and I would not have had that to do if I could have helped it. But we were in a terrible condition down there.

Q. What compulsion was there upon you to take part last fall? You say you would not have done it if you could have helped it.—A. Yes,

and say so now. But we were in a terrible fix, and it was the duty of every good man to do what he could.

Q. That fix was described in the circular.—A. Yes, sir.

By Mr. VANCE:

Q. You felt it your duty to do all you could?—A. Yes, I did; and I had made all my arrangements to leave the State of Virginia if the State had gone Coalition. We could not have lived under the negro rule in Danville.

Mr. LAPHAM. Now that leads me to ask a question.

Mr. VANCE. I do not think it does. You go right over matters.

Mr. LAPHAM. I am going to ask an entirely new question. Do you not know that the whites of Danville will never submit to what they term "negro rule"?

Mr. VANCE. He cannot know that. I object to that question.

The WITNESS. No, sir; I don't know that. I have no objections to telling you I don't believe they will. I for one never will do it.

Mr. VANCE. Have you any objections to saying you do not think they ought to submit to it?

Mr. LAPHAM. I am very willing for him to say that.

The WITNESS. No, sir; I have not; for the reason that, under that government, property can never have any representation.

JAMES G. STONE sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. About two miles from Danville.

Q. How long have you lived there?—A. I was born and raised there.

Q. What is your occupation or profession?—A. Farmer.

Q. Do you hold any civil office?—A. Yes, sir; justice of the peace

Q. What district does your jurisdiction extend over?—A. Well, sir a magistrate has jurisdiction over the whole district, but my section is over the south side of the river, Jackson's Branch, and between the line and the river.

Q. Is the Dry Bridge in your jurisdiction?—A. Yes, sir.

Q. Is Wimbersher's precinct in your jurisdiction?—A. Yes, sir.

Q. Have you ever been judge of your election precinct?—A. Yes, sir; several times.

Q. At Wimbersher's?—A. Yes, sir.

Q. What is the strength of the vote between the whites and blacks at Wimbersher's?—A. Well, sir, it varies; we live right on the State line.

Q. The full vote?—A. Well it varies; they move backward and forward. It varies so much now the last vote there were 391 votes cast; there were 76 Democratic votes and 315 Readjuster.

Q. Was that a pretty fair average?—A. Yes, sir; that was about an average vote and a little over an average vote, I reckon. There had been one election before that was heavier; only one.

Q. How far is the precinct of Wimbersher's from the corporate limits of Danville?—A. About half a mile, I reckon.

Q. Where do most of the colored people who live at Jackson's Branch work and earn their living?—A. In Danville.

Q. They work in Danville and live outside?—A. Yes, sir; live beyond the corporation; a great many of them live in Jacksonville.

Q. Then I suppose they were in town every day more or less?—A.

Yes, sir; they went to Danville I suppose every day because they work there.

Q. Get their marketing there, too, and everything?—A. Yes, sir.

Q. All their supplies?—A. Yes, sir; marketing.

Q. Were you a judge of election on the last election day?—A. Yes, sir.

Q. At Wimbersher's precinct?—A. Yes, sir.

Q. What was the condition of things at the polls there?—A. Well, it was the quietest election I ever saw; in fact the first election we had there for several years but what there has been some squabble, but that one passed off quietly.

Q. No disturbance at all?—A. No disturbance whatever.

Q. Did the colored people seem to be under any alarm?—A. No, sir; none at all.

Q. And polled, you say, a little over an average?—A. Yes, sir; over an average vote.

Q. Have you ever observed there any bulldozing or force by the colored people one upon the other?—A. Yes, sir; I saw one man threatened to be killed there; they threatened to ride him on a rail, at least, if he voted the Democratic ticket. Then, after he did vote it—

By Mr. LAPHAM:

Q. Are you speaking now of last fall?—A. No, sir; that was fall before last.

Mr. LAPHAM. Senator, do you think that competent?

Mr. VANCE. Oh, yes; it is the general conduct of the colored people in Virginia with reference to the right to vote.

Mr. LAPHAM. Oh, well, I will not object if you press it.

By Mr. VANCE:

Q. Will you give the name of the colored man that was threatened?—A. Ches. Ingraham.

Q. Who was the leading one?—A. George Adams.

Q. The man who has been witness here?—A. Yes, sir.

Q. Did he live in Jackson's Branch or in the town of Danville?—A. He lives above Jackson's Branch, about a mile and a half above Danville. Jackson's Branch is south of Danville.

Q. Well, state what he did.—A. He came in and wanted to vote. I never had seen him before in my life. He said they would not let him vote, and he came around, and as he came up to the window I heard George Adams say, "Here is Ches. Ingraham going to vote the Democratic ticket, and if he does we will ride him on a rail." He came up and voted, and about half an hour, or something like that, some of them came to me and said there was going to be a disturbance, and I had better come out and see about it. When I got to the door there were a great many negroes standing around Ches., and George was standing right in front of him, and I heard him tell him "No damn nigger would ever vote the white man's ticket and live his days out, and you won't live yours out." I told George if I heard anything more from him I would send him to jail; that broke it up.

Q. How many colored people voted the Democratic ticket on that occasion?—A. He was the only one I knew of.

Q. How many, if you know, were there that had Democratic proclivities?—A. I know there was another came there, he said, for that.

Q. He said so, did he?—A. Yes, sir.

Q. Well, that is competent; why did he not?—A. He said he was afraid.

Q. Do you know of any others of Democratic proclivities who would have voted that ticket but for fear?—A. No, sir; I do not know of any other.

Q. Was there any of that last fall?—A. No, sir; none at all.

Q. There was no effort to bulldoze anybody?—A. No, sir.

Q. How far did you say Mr. Wimbish's precinct is from the corporate limits of Danville?—A. About half a mile, I reckon.

Q. About a mile from the center of the town, I suppose?—A. Yes, sir; right close to the corporation line.

By Mr. LAPHAM:

Q. Did you know of any difficulty between the whites and colored people at that poll?—A. No, sir; there never was.

Q. Never at any time?—A. No, sir; never has been.

Q. In that respect, then, the last election did not differ from any others?—A. No, sir; in that respect.

Q. Did you see any one armed the day of election last fall?—A. No, sir; no one at all.

Q. Are you sure of that?—A. Yes, sir.

Q. You were not armed yourself?—A. Yes, sir; I was armed that day.

Q. You made one, but you did not see anybody else?—A. No, sir.

Q. What were you armed with?—A. I had a pistol—I had two of them.

Q. Describe them, please.—A. Well, they were pistols; one was 32 and the other 38, Smith and Wesson, I think.

Q. Were they both loaded?—A. Yes, sir.

Q. Well, I will dismiss you; that is all I want to ask you.—A. I had not owned a pistol for six years.

Q. I don't care how long you had them; you had them there at the polls?—A. Yes, sir.

By Mr. VANCE:

Q. Why did you have them there?—A. Because I was afraid somebody might attack me.

Q. And there was so much excitement, you thought it necessary?—A. Yes, sir; I could not get a pistol, and I went to North Danville and borrowed two.

Q. You were going to be ready if anybody did attack you?—A. Yes, sir.

Q. Did you make any display of them?—A. No, sir; I do not suppose anybody in the world knew that I had them; I do not own a pistol, and do not suppose I had one in ten years before.

HENRY HILL (colored) sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived there?—A. I have been there eleven years.

Q. You are a colored man, are you?—A. Yes, sir.

Q. Who have you lived with most of that time?—A. I have lived with Mr. Holland.

Q. What do you do for him?—A. I do his walking mostly on the

street, and working in the manufactory, attending to his business outside.

Q. What are your politics?—A. Democratic.

Q. How long have you been a Democrat?—A. Eleven or twelve years.

Q. Have you been permitted to vote the Democratic ticket without interruption from your own race?—A. I have had several threats from one or another, just passing, of "damned nigger," and one thing another.

Q. Threatening language used that way?—A. Yes, sir; threatening language.

Q. How have you been treated socially by your own race?—A. Well, they found that I did not pay any attention to them and went on and attended to my own business, and attended to my own vote, and never paid any attention, and they don't bother me very much now; they used to, but I paid very little attention to them.

Q. Do they receive you socially on good terms?—A. Well, I do not visit very much; I go to church; when I get through with my business I go back home again, and so don't know whether they would or not.

Q. You do not visit among them?—A. Very little.

Q. Do you decline to visit among them for the reason you think they would not receive you cordially?—A. That's the reason I do not visit as much as I would.

Q. What particular language have they ever used toward you, can you remember?—A. Yes, sir; I remember on the day of election—

By Mr. LAPHAM:

Q. What election were you speaking of?—A. Let me get through, I will tell you. Last fall—

By Mr. VANCE:

Q. Last fall?—A. Yes, sir; I remember, I voted and went to the factory, and went to work, and I came on to dinner; was going on down Union street, a place called Hell's Half acre; I had to pass through there going on down to my dinner, and I saw several on the other side of the street saying, "There goes a Democratic dog now; just now voting the damned Democratic ticket." I did not pay any attention to them—just passed on. They said, "Where is he?" They says, "There he goes." Of course, if I had stopped to pay any attention there would have been a row then.

Q. Did you see any of the riot in the street?—A. Yes, sir.

Q. What did you see?—A. I saw Hense Lawson and a gentleman fighting on the other side to us; I was over there near Mr. Jones's drug store; I came up street; before I go any further I will go back. When I see a gathering in that way of fighting I always stay out of the way of it; and I saw them gathering awhile and saw them pass a crack or two, and I goes up street a little ways, near Mr. Clarke's store; I stepped on the opposite side over there, and I went into the store and spoke to Captain Clark about something—I do not know what it was now, but at any rate I went in and spoke about something—about goods; he was not dealing in goods, I think, at that time, but it was his old stand. I will tell you who kept there—

Q. That don't matter?—A. Well, I went in there, anyhow.

Q. Hamlin & Hinton, wasn't it?—A. Yes, sir; that is who it was. I went in there to tell him something about some goods, something of that sort, and when I came back to the door I heard a shot made, and when I come back to the door, and by the time I got to the door, there was about three men, and when the three shots was made just as I got

to the door, in place of going to the opposite side I started up the street. I met three fellows coming towards, meeting me, had pistols in their hands. I says, "You all better not go there, they are shooting down there." They allowed, "Damn it, we are men, too." I could not recognize—

Q. Were they colored men?—A. Three colored fellows; yes, sir.

Q. All had pistols?—A. Yes, sir; had pistols.

Q. And you told them they better not go because they were shooting down there, and they said they were men too?—A. Said, "God damn, they were men to."

Q. And did they keep on?—A. Kept on right toward the crowd.

Q. And you went the other way?—A. Yes, sir; toward Mr. Wiseman's drug store, where I stopped and staid until the riot was over.

Q. Did you see the white men across the street?—A. Yes, sir.

Q. How many did you take them to be?—A. I took them at the first starting of it, was about twenty-five to one hundred and fifty. In the commencement of it was about twenty-five to one hundred and fifty.

Q. Twenty-five whites to one hundred and fifty colored men?—A. Yes, sir.

Q. Did you see any women and children in among the colored people?—A. I won't say for certain; there was a few women, but I do not think they were on the opposite side over there; I think I saw some women pass up on the street where I was.

Q. The front of the stores on the other side?—A. Yes, sir; I do not think there were any on the other side.

Q. In the crowd?—A. Yes, sir.

Q. Was that all you saw of the riot?—A. That was about all I think I saw. Yes, I saw another fellow, Fred. Downs, was running towards a store—they had a store there—run down to the store there and called for his pistol.

Q. Who was that?—A. A fellow by the name of Fred. Downs.

Q. A white man or a colored?—A. A colored man.

Q. Where was his store?—A. His store was on the market square. He came down by me; said he was going down to his store after his pistol. I was well acquainted with him, and asked him where he was going.

Q. Aside, now, from this great political excitement and trouble you had there, what is the general feeling of the colored people and white people towards each other there?—A. To the best of my knowledge and belief, the whites are the best friends they have got.

Q. How was that friendship displayed?—A. Well, it is shown in all kinds of favors, whatever they request of them.

Q. They employ them?—A. Yes, sir; they employ them.

Q. How are wages there?—A. Wages is through the winter from four and a half to five dollars a week, and in the summer season from \$5 to \$6 up to \$10 a week; tobacco-pickers, \$6; pressers, from \$7.50 to \$10.

Q. Now, there is a good part of the year that the tobacco factories are closed, is there not?—A. Yes, sir; but they get a good deal of employment, all by leaf dealers.

Q. Now, those who do not get employment that way, what becomes of them during the winter?—A. Well, they go to the employers, and they let them have any amount of money they want up to \$25 or \$30.

Q. The employers help them during the winter?—A. Yes, sir.

Q. And trust to their being repaid when the season reopens?—A. Yes, sir.

Q. How many of your race vote the Democratic ticket in Danville?
—A. I do not know exactly how many; I don't meddle with anybody's business; I mean whatever I do I go to do; therefore I don't know anything about how many vote, but I think some two or three of them voted this last election, and a good many have been voting all along before this last election.

Q. Why is it there are no more; do you know? Why is it your people do not divide like the white people?—A. Just simply because my notion about it from what I can see amongst the people; it appears to us the reality in voting for the beneficial on account of being bulldozed with the people.

Q. You think if left entirely free more of them would vote the Democratic ticket?—A. Oh, I am satisfied of that.

Q. You regard the interest of the colored people there and the white people as the same. If one flourishes the other will flourish, and whatever injures one will injure the other?—A. That's my notion about it; whatever injures them will injure me, and I reckon the same way with the rest.

Q. And you think there is no other reason for not dividing like the white people than the fear of trouble from their own race?—A. Not anything else, I don't think, from what I can see.

Q. Do you know of any fears the white people have put upon black people to keep them from voting as they please?—A. Not anything at all that I know; they advise them, "You vote any way you see proper;" at least that is the way they do me.

By Mr. LAPHAM:

Q. Who did you say you worked for?—A. Mr. John Holland.

Q. How long have you worked for him?—A. I have been working with him about ten or eleven years.

Q. Is he the father of the man who was wounded in this riot?—A. Mr. John Holland is not.

Q. Well, any relation to him?—A. Not more related than brothers.

Q. No more related than being a brother?—A. No, sir.

By Mr. VANCE:

Q. You mean Mr. John Holland's brother is Walter Holland's father?

—A. That's what I told him.

By Mr. LAPHAM:

Q. What do you do?—A. Me?

Q. Yes, you.—A. I stated that I do his walking on the street, attend to his business in bank, and one thing and another; pick tobacco in the factory, and one thing and another; that is my business.

Q. And has been for how long?—A. I think I have been with him—well, to be positive, I came there in 1874, I think. You can count it.

Q. Who has spoken to you about coming here as a witness?—A. I do not know; I have had so many of them speak to me asking me if I was going to Washington, and I said I didn't know whether I was or not.

Q. Who has spoken to you about coming here as a witness? Now, I want an answer to that question.—A. Any one asked me was I coming?

Q. Said anything on the subject of your coming here as a witness?—A. Well, I have got to think about that.

Q. You speak so low I cannot hear what you say.—A. If you want me to think, I will tell you how it was, as nigh as I can.

Q. Is it because so many have talked with you that you cannot

tell?—A. I don't think that anybody said anything about coming here, particularly; about coming here until I was summoned here. I don't think—yes, there was a gentleman met me on the street, Mr. Hatcher, I believe, asked me if I was going to Washington.

Q. What Mr. Hatcher?—A. I don't know; there are two or three; I don't know one from the other. It was Hatcher, I know that.

Q. Did Mr. Holland say anything to you about it?—A. No, sir; he never said anything to me about it more than to ask me, after Mr. Hatcher asked me, was I going to Washington. I think Mr. Holland asked me after that, was I going there or not; had I been summoned there, or something of that kind.

Q. When did you come here?—A. To Washington?

Q. Yes.—A. I came down here to-day.

Q. Got here this morning?—A. Yes, sir.

Q. When were you subpoenaed?—A. Yesterday.

Q. Who served it on you?—A. I don't know the gentleman.

Q. Well, you voted the Democratic ticket always since you became a voter, did you not?—A. I stated how long I have been voting it.

Q. You voted it ever since you became a voter, haven't you?—A. I have been voting the Democratic ticket here at Danville ever since I have been at Danville.

Q. Have you not voted the Democratic ticket ever since you had a right to vote?—A. Well, I think the first year after the surrender, I think, if I make no mistake, that I voted—if I go back there I may make a mistake; but, anyhow, what year was Grant elected?

Mr. VANCE. 1868.

By Mr. LAPHAM:

Q. You know I am not on the stand, and you are. Now, you just answer my question. Have not you always voted Democratic since you had the right to vote?—A. I can't answer one question until I straighten another; I cannot answer until I see the year Grant was elected. I voted for him, I think.

Q. How old are you?—A. I am somewhere—I am about forty-two.

Q. Do you know your age?—A. I think I do.

Q. Why do you say "about forty-two," then?—A. Well, that's why I say so—forty-two.

Q. When were you forty-two?—A. Forty-two the 4th day of last August.

Q. In your forty-third year, then?—A. Well, I ain't forty-three yet.

Q. You have always voted the Democratic ticket since you came to Danville?—A. Yes, sir.

Q. And you have been there how many years?—A. I have been there about eleven years, I think, as nigh as I can count, but when I get back home again and look at the book I could tell mighty quick.

Q. Have you a family?—A. Yes, sir.

Q. What does your family consist of?—A. Don't know your meaning.

Q. How many persons?—A. Oh, a wife and baby.

Q. Do not the colored people visit your house?—A. Her associates visit.

Q. I ask you if you do not visit one another?—A. I told you her associates visit her.

Q. I mean social visits, of course.—A. Her associates, I said.

Q. Well, of course they would be her associates or they would not visit.—A. I don't call men her associates.

Q. The colored women?—A. I call the colored women visitors.

Q. I say the colored women visit your house and your wife visits their houses?—A. Yes, sir. I will tell you what she told me.

Q. No; I do not ask that; I want your knowledge of the fact.—A. I can't answer it without answering——

Q. You do not know, then, that your wife goes to the house of any colored person in Danville?—A. Yes, I do.

Q. What church do you belong to?—A. Me?

Q. Yes, you.—A. I don't belong to any.

Q. What church does your wife belong to?—A. Belongs to the High Street Church, Baptist.

Q. She goes to church there, don't she?—A. I goes there, too, sir.

Q. Regularly?—A. I goes when I feel like it.

Q. Do you go there regularly, I ask?—A. I go when I feel like it; that's all I do.

Q. Do you go there regularly? You understand what that question means.—A. I don't reckon I do. Do you mean every Sunday?

Q. Nearly; substantially every Sunday.—A. I don't go every Sunday; I go when I want to.

Q. How many times have you been in the last year?—A. I couldn't tell you that.

Q. Does your wife go at times when you do not?—A. Do she?

Q. Yes; "do she?"

Mr. VANCE. He cannot answer that question; he was not with her when she was by herself.

The WITNESS. No, sir; I can't.

By Mr. LAPHAM:

Q. You cannot answer whether your wife goes to church by herself?—A. I can't answer it.

By Mr. VANCE:

Q. Did you hear any politics in the pulpit when you were there by yourself?—A. I was there one night, the day before election, went to meeting there for some purpose or another, I have forgotten—prayer meeting. When they wound it up they wound it up in politics, and I got so mad I couldn't half see.

Q. Wound it up in politics?—A. Wound it up in politics.

Q. What did the preacher say?—A. Well, sir, he went on to tell—well, he advised the women to go out and carry their husbands to the polls; that was the debate they wound up on, and then I was so mad I couldn't half see men standing in front of me; advise my wife to carry me to the polls like I wasn't man enough to carry myself there.

Q. And you got mad at that and left?—A. Got mad at that and left the church.

By Mr. LAPHAM:

Q. Have you ever been there since?—A. Oh, yes; I was there last Sunday.

Q. The same minister?—A. Dead, sir.

EDWIN HILL (colored) sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Well, you mean my station home.

Q. Yes.—A. I live in the suburbs of the town.

Q. Of Danville?—A. About one hundred yards from the corporation.

Q. What is your business?—A. My business is in the factory.

Q. Whose factory do you work in?—A. Mr. F. H. Burton's.

Q. What have been your politics?—A. Well, my politics has been Republican all the time until this last time; never voted any other ticket but that.

Q. And you voted a different ticket this last time?—A. I did.

Q. Will you state if any threats were made to you by anybody on that account?—A. Yes, sir; I state so far, that between my house and the railroad—I live just on the south side—my son-in-law came there to see me, and I and him was passing out, and met right on the railroad one of my neighbors; it was Cooper Price; and he said he was glad to see me, and I said, "Very well." He said to my son-in-law, he said, "I would like to see you," and he said, "I have not got time before I go home." I and him turned back, and from that time I and him talked, between that and my home, until it was nearly dusk, and he said to me, "Hill, I heard you were going to vote the Democratic ticket?" I said, "Yes; I says so, and says so now;" and I said, "My reason for voting so was because I said I never could vote a Readjuster ticket, because I didn't know what it was, and I was a straight-out man, and if the ticket I had been voting was in the field I intended to do it because I didn't believe in the Readjuster ticket; I didn't believe in it, because it didn't help me any at all, and I was looking for the interest of myself"; and I and him talked awhile. He says, "If you won't vote for your wife and children, to keep them from the whipping post, and for the free schools, I intend to do it"; and I and him parted right there, and we passed away mutually and went off. Then he said he met me in the path, and I set down in the grass, and he had converted me.

The CHAIRMAN. No; give what he said to you. Senator, you do not want to go that far?

Mr. VANCE. No; I do not ask him for that.

The WITNESS. No——

The CHAIRMAN. Just wait a moment.

Mr. VANCE. Witness, you must tell what he said to you.

The WITNESS. I am telling just what he said to me; that's just what he said to me.

By the CHAIRMAN:

Q. Repeat what he said to you.—A. That if I would not vote to save my wife and children he would——

By Mr. VANCE:

Q. If you would not vote to save your wife and children from the whipping post and for free schools, that he would for his?—A. Yes, sir; and he prevailed with me and persuaded with me to do it, and still I was not converted; the Lord would certainly have to change me, because I do not believe in the Readjusters.

Q. You are a straight-out Republican, then?—A. I am, sir.

Q. This new-fangled concern you did not understand?—A. I never will vote for it while I have got a name. I am honest in it.

Q. You want the old Simon-pure, old Doctor Jacob Townsend's original sarsaparilla?—A. Yes, sir; I won't have it at all, sir. I mean it.

Q. Yes. Were any other threats made to you about voting; did you at any time carry a gun?—A. No, sir; never had a gun in my life.

Q. Or pistol?—A. No, sir; never owned one; never toted one.

Q. State if any other threats were made?—A. There was no other threats made at all; more than I was at the speaking.

Q. What speaking?—A. Well, I forget the man's name; I can't think of his name now, but I think it was down below Poindexter's, and sev-

eral of them, I think it was four or five, I don't know who they was, got on the stage first, and they was speaking and going on, and he says if any man voted the Democratic ticket on that day he was going to assassinate him, and then in a loud cry, "If he is here take him out now," and I left.

Q. You left?—A. I did.

Q. Who was it speaking; a colored man?—A. Yes, sir; and I was out on the street; they was speaking up on the court-house steps, and I was on the other side of the street, and there was a great crowd, and I couldn't see who was speaking at the time.

Q. How long was that before this riot?—A. I think it was about a week.

Q. About a week before this riot?—A. Yes, sir.

Q. What was the state of feeling among the colored people toward the whites about that time; was it good or bad?—A. So far as I know I don't believe at that time that there was any disfeeling at all between them at that time, so far as I know.

Q. Were the colored people excited pretty much by that campaign?—A. No, sir; not at all.

Q. Not very much?—A. No, sir. Upon the strength of it I just want to state there that he heard of me knowing that he said these things, and he pulled off his coat, his hat, and his waistcoat, and threw it down at the grocery as I passed the door.

Q. Who was that?—A. Cooper Price; and run his fist up and down my nose three times, and says he, "There it is, I am either going to drink your blood or you mine—one." So I did not resent it, and I took it for granted that he had a feeling against me about not voting the ticket.

Q. He took off his coat and hat and jacket, and threw them down on the floor, and came up to you and rubbed his fist against your nose and said he was going to drink your blood or you his, one or the other?—A. He did, sir.

Q. Did he say why?—A. He didn't say why. Walter Edwards was keeping the store, and he asked me what was I doing in Jacksonville.

By the CHAIRMAN:

Q. Who is Walter Edwards?

Mr. VANCE. The storekeeper.

The CHAIRMAN. Do you propose to ask what he said?

Mr. VANCE. In the presence of this man who was threatening him; that is the object of the question, to explain why he threatened him in this way.

The WITNESS. Well, the explanation was—I will explain it just like it was. He asked me was I going to Jacksonville. I asked him what to do over there. He says "Speaking." I asked him who was going to speak. He says the Readjusters. I says, "Well, that is something more to the fact; you are doing just like I heard a man said, I sat down in the grass and cried and he converted me; I am going to have nothing to do with it;" and I said, "I never hit a man in my life, but if any man came to me and told me that, I would hit him." He passed by me, whirled in the store; I didn't see him until he pulled off his coat, hat, and waistcoat, and that is why it was, and that is all I know about it. I don't know anything more.

Q. What was the general feeling, before this trouble got up there, between the two races, white and black?—A. Now, I will tell you. I didn't see any difference at all myself. You know I always get out of the factory—I live about a mile and a half—and always go right on home.

This is the first time I have ever been away from home, from my wife, and had her thirty-two years; so if there is anything more, I looked upon it as just a social agreement between them. I never saw any of the riot at all.

Q. I know; but before this riot occurred, leaving out that, were they kind towards each other, the white people and black?—A. Yes; I have known them to be kind to them; they have always been kind to me ever since I have known them; I have been there thirty-one years.

Q. The industrious colored people and business white people were on good terms toward one another?—A. Always been mutual, so far as I know.

Q. What kind of wages do you get in the factory?—A. Well, I get in the winter four dollars and a half in a week, and in the summer I get seven dollars.

Q. That is pretty good wages, isn't it?—A. That's very good for the times, sir.

Q. Yes; it is good wages compared with other kinds of work?—A. Of course.

Q. Of course you would like to have more if you could get it, and so would we all?—A. Yes, sir.

Q. Did you ever take much part in politics?—A. I didn't hear any speaking before that night.

Q. And been a straight-out Republican all the time, and are yet?—A. Yes, sir.

Q. Do you own some property?—A. Yes, sir.

Q. What does it consist of?—A. It consists of two acres, sir.

Q. House, and lot, and homestead?—A. Yes, sir.

Q. Have you made it since you went to Danville?—A. I made it since the surrender. I didn't have a dollar at that time, and I went to work and just bound myself for my house and lot, and just worked it out, and I worked day and night, and I determined to take care of my property.

Q. Exactly; have you had any of the Democrats, the white people, to interfere with you to keep you from voting as you pleased?—A. Never did.

Q. Do you know where they have interfered with your race to keep them from voting as they pleased?—A. If they did, I never heard of it.

Q. A colored man votes just as freely as a white man?—A. Yes, sir; just as freely and as he wants to vote, according to what I know.

By the CHAIRMAN:

Q. What is the name of this man you spoke of as having a talk with?—A. Cooper Price. He was the man I had a talk with.

Q. And he was the man who threatened you, that if you would not vote for your race that he would?—A. That's the man.

Q. That you call a threat, do you?—A. I don't call it; you can call it whatever you choose.

Q. Did you feel very much troubled about it?—A. Well, I will tell you, in my heart and mind, I did.

Q. Why, he said he would vote for your race if you would not?—A. Yes, sir.

Q. And you thought that was a threat?—A. Now, I felt troubled about it because he seemed as if he was angry and not in kindness, and he turned off; I felt somewhat dubious; I am honest in that.

Q. You felt dubious about it?—A. Yes, sir; I did.

Q. How long afterwards did this other affair occur, when he pulled

off his coat and threw it down on the ground?—A. It was about three days after that speaking was, I am confident.

Q. You say you were on the other side of the street from the speaker and you heard him say—repeat again what you heard him say?—A. I heard him say that if there was any Democrats—he heard that there was some Democrats—and if there was any voted at the polls that day they was going to assassinate them.

Q. You think this man advised them to assassinate anybody that voted the Democratic ticket?—A. I don't know; that is what I heard.

Q. And then you went off?—A. I did.

Q. You thought it was a good time for you to go away?—A. I did, because they say "He is here now; take him out," and that's why I left.

Q. Did you think they were going to commence with you then, right off?—A. I didn't know. I will tell you what I thought; that the rumor had been in town that I was going to vote the Democratic ticket; I'll tell you it went right square home to me.

Q. And you felt you ought to be away from there?—A. I did.

Q. That they were going to assassinate you?—A. Well, I just felt—they cried out, "If he is here, take him out." I thought if they got hold of me, knowing I did it, they would do what they said they would do; and I went home. I am honest about that.

Q. Were you a slave before the war?—A. I was.

Q. And since that time you have worked your way along until you have got a homestead?—A. I have.

Q. I am glad of it.—A. And I have got elegant fruit on it, too; just as nice as can start.

Q. I suppose you think if the colored people keep out of politics that your people will get along very well?—A. Well, sir, if they do like I do, I think so.

Q. If they would take no part in politics and not go near any meeting and vote the Democratic ticket occasionally, you think they would get along very well?—A. Now, I haven't anything in the world to do with that, because I have only stated the fact, the special reason, and my reason. I am a Republican, I just told you, but for the interest of my property and my getting along, I thought it was best for me to vote for a Democrat in preference to a Readjuster.

Q. That you have a perfect right to do; but you think they would all get along very well if the colored people would vote the Democratic ticket, like you?—A. I don't know anything about that. I only know from myself. I don't know anything about nobody else.

By Mr. VANCE:

Q. This man that was threatening—speaking against colored Democrats—did not mean he was going to kill all the white Democrats?—A. You are out of my system now.

Q. Did the man say the colored men going to vote the Democratic ticket, or white men Democrats, when he was talking about going to assassinate anybody that was concurring in that crowd?—A. Oh, he meant the colored; of course he did. That's what he meant. He didn't mean anything else, I know. I don't know it; I believe it.

By the CHAIRMAN:

Q. You do not think he would advise the killing of the white men for voting the Democratic ticket?—A. No, sir.

Q. They would have to kill off all the white men down there pretty much, wouldn't they?—A. Yes, sir; they would.

L. D. CLARK sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I live in Danville.

Q. Were you born and reared there?—A. No, sir.

Q. Where are you from?—A. I was raised in New York.

Q. What is your occupation in Danville?—A. Well, I carry on a farm about six miles from Danville. Then, I follow public works in Danville; run a farm, and I devote my time in Danville to the public works.

Q. Do you know the temper and disposition of the colored people and whites toward each other in Danville; have you observed it?—A. Yes, sir; I think I have.

Q. What is it?—A. I think just as lenient as anything could be in the world.

Q. You mean by that kindly?—A. I mean kindly.

Q. Toward each other?—A. Toward each other.

Q. Did you notice any particular occurrence or behavior on the part of some negroes about a week before the election?—A. Yes, sir; me and another man was walking down street about probably a week, maybe four or five days, before the election, I won't say certain, and we met six or eight negroes or colored people, and we had to get off the sidewalk, and they commenced hollering to us. I never made any remark, but he wanted to know what they had to do with us, the other man that was with me; they told him "To go to hell, and kiss their asses."

Q. Made use of a vulgar expression and "go to hell?"—A. "Go to hell and ———."

Q. How many were there?—A. I should judge from six to eight.

Q. Did they appear to have been drinking?—A. No, sir; I couldn't swear that they were; they were boisterous, just like you meet them anywhere.

Q. And they were on the sidewalk?—A. Right in the public street.

Q. They were on the sidewalk?—A. On the sidewalk.

Q. Did they take up the whole of it?—A. Took the whole of it; forced us into the gutter.

Q. Do you know anything about the colored people carrying arms there?—A. Yes, sir. I had to go home about the 10th of August (I had to wait two or three days, they had to make a bridge) and I thought I would go home and see about my crop, and I have two families there, living with me making the crop, and I told one of them to go to a neighbor about a mile (it was at noon-time), to get a cross-cut saw. He lives probably about twenty-five or thirty feet from my door, and he started back like he had forgotten something, and I wanted to speak to him about something else and went after him, and about the time I got to him he was coming back, and I saw him putting something in his pocket, and I told him he ought to be ashamed of himself; I told him a man going to a near neighbor with a pistol was an insult. He went back purposely for his pistol.

Q. Before he would go to a neighbor's house?—A. At noon, for a cross-cut saw, and the neighbor lived on the public highway.

Q. Can you give any other instance where you saw arms on colored men's persons?—A. Yes, sir; the same man—I wouldn't state whether it was immediately before the election or immediately afterwards—came to Danville after a load of feed for me, and he had a note from my wife, and was looking for it; had lost it, and in looking for the note he drew out a pistol. I told him he ought to be particular, or he would be pre-

sented, and he allowed he was going to keep it hid; and come to find out about a week afterwards, it was my own pistol he had. It seemed like he carried it regularly.

Q. Do you know of any other colored man?—A. Oh, yes, sir; I have seen a group of boys, not more than half grown, carry pistols; carry them regularly; colored boys not more than fourteen or fifteen years; it looked like they were encouraged by their parents.

Q. Did you see anything of the riot?—A. No, sir; I didn't see anything of the riot.

Q. You were not in town?—A. Yes, sir; I reckon I was within 200 yards of it, but then I never stopped my business. I was on the street probably two hours after that.

By the CHAIRMAN:

Q. You saw this one negro man armed who was in your employment?—A. Yes, sir.

Q. He had your pistol?—A. Yes, sir.

Q. Did you ever carry a pistol?—A. No, sir; I don't suppose I have carried it twice; I have been owning it three years, and I don't suppose I carried it twice; and I have taken the cylinder out and given it to my little boy to play with.

Q. Did you ever see white men carry weapons?—A. Hardly ever.

Q. But you have seen it, though?—A. It is a rare thing, but as a general thing the colored people carry weapons; there is no doubt about it. I have all the opportunities in the world to know, because I work them.

Q. What do you think as to the white people?—A. I can't say positively about the white people, because I haven't had as much transaction with them as I have the colored people.

Q. Did you not know it was a common habit for white people to carry arms about town?—A. No, sir; I do not.

Q. Don't the white people generally carry arms?—A. No, sir; if they do, I don't see it. I know one thing: I was there at the time of the riot, and I never had anything but what God gave me.

JESSE HARGRAVES (colored) sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Danville.

Q. How long have you lived there?—A. I have been there about nine years.

Q. Where did you come from when you went there?—A. Lexington, N. C.

Q. What do you do in Danville; what is your business?—A. I am wagoning; drives on the streets all the while.

Q. For whom?—A. Vass & Jefferson.

Q. What kind of business are they engaged in?—A. Wood, lumber, coal, laths, &c.

Q. Have you any information to give us in relation to how they treat a colored man who votes the Democratic ticket down there in Danville?—A. Yes, sir.

Q. How the colored people do?—A. I know how they said were going to treat me; I cannot give an account of any one but myself.

Q. Tell us how they threatened to treat you.—A. Well, sir, the report got out that I was going to vote the Democratic ticket, and asked was I going to do it. I told them I was if I lived, and finally so many of them got asking me how I was going to vote, and one or two of them told me they was going to see if I did vote it, and if I did vote they

was going to catch me between my work, coming along, and give me the devil. Several others—they all drives for the same firm—they told me what the others said, and I just tell you what they told me, and I got sort of scared, and several of them asked me how I would vote, and I told them I wouldn't tell them, they would see on the day of election.

Q. You began to beg off a little?—A. I didn't beg off, I wouldn't tell them; didn't want too many to know, and that day of election—election morning—they asked me how I was going to vote; I told them I would vote the Democratic ticket. The two men I work with they said they were going to see if I did vote it, and if I did they would fix me; and I went on to vote early that morning, and went on home; did not go in Danville at all; feared they would catch me, and didn't know what they were going to do with me; went on home and staid until about 6 o'clock sundown.

Q. You voted and got right out home and staid there until sundown?—A. Not quite sundown.

Q. Did any of them make any demonstration on you after that?—A. No, sir; not after that they didn't attempt to do anything, but a few of them didn't speak to me, got mad with me, wouldn't speak to me because I did vote it.

Q. Would not speak to you?—A. No, sir.

Q. Are you a married man?—A. I am.

Q. Did they cut you off in your social visits any because you voted the Democratic ticket?—A. Cut me off in my social visits?

Q. Do they visit you and have to do with you the same as they would if you had not voted the Democratic ticket?—A. No, sir.

Q. Do not visit your family, nor anything of the sort?—A. Ladies visit my family, but the neighbors don't do it; won't speak to me.

Q. Your neighbors won't speak to you?—A. Some of them won't.

Q. On that account?—A. On that account.

Q. For that reason alone?—A. Yes, sir; I think so, for they were friendly to me before. There was a neighbor, second house from me, said he was visiting my family and his family the same because he didn't have any use for a Democratic negro.

Q. And your next door neighbor?—A. Second door neighbor.

Q. Did you see anything of the riot itself?—A. No, sir; didn't see anything about it.

Q. Do you know whether the colored people there carry pistols or not?—A. Yes, sir; I saw several of them; saw several; I saw three or four of them armed with pistols.

Q. When?—A. Before the riot.

Q. How long before?—A. Three or four days, perhaps; maybe a week.

Q. You saw three or four with pistols?—A. I saw three, I know.

By Mr. LAPHAM:

Q. Did you ever carry a pistol?—A. No, sir—yes, sir; I have.

Q. Which way will you have it now?—A. While I was a small chap my father gave me a little pop gun; I carried that ten or fifteen years ago; I haven't carried any since I was a man.

Q. Who were these persons you saw have pistols?—A. I saw John Wamerly and George Wamerly.

Q. Where do they live; in Danville?—A. In Danville.

Q. What part of the city?—A. John Wamerly lived in North Danville, and George Wamerly lives in Danville.

Q. Do you know how they vote?—A. No, sir; I don't know how they vote.

Q. How long have you voted the Democratic ticket?—A. I have been voting it about three or four times since I have been in Danville, and once before I came away from home.

Q. In whose employ are you?—A. Mr. Vass and Jefferson.

Q. Are they Democrats?—A. I don't know whether they are or not.

Q. You do not?—A. I don't know which way they vote; I never saw either one of them vote.

Q. They are white men, are they not?—A. Yes, sir.

Q. You do not know what their politics are?—A. No sir; I don't study politics.

Q. Never heard either of them say?—A. No, sir.

Q. Who first spoke to you about coming here?—A. I don't know the gentleman. The gentleman saw me yesterday; it was on the street. I don't know him.

FRANK CORBETT (colored), sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I live in Danville.

Q. How long have you lived there?—A. About fourteen years.

Q. Were you born and raised there?—A. No, sir; I was born in North Carolina.

Q. Whereabouts?—A. In Caswell County.

Q. What do you do in Danville?—A. I work for the hardware department.

Q. You worked at a hardware house; whose?—A. H. F. Vass & Co.

Q. Where were you on the day of the riot?—A. I was at the store in the morning, and was at home in the evening.

Q. Where were you when it took place?—A. I was home.

Q. You were not present then?—A. No, sir.

Q. Did you see any evidence of unusual excitement among the colored people for some time before the election?—A. Yes, sir.

Q. What did you see?—A. I saw on the morning of the riot—I had heard rumors of a fight for about three weeks, probably, on the day of election.

Q. You heard who saying that?—A. Amongst the colored people in general.

Q. Excuse me for asking you the question; are you a colored man or a white man?—A. A colored man.

Q. You were so fair I didn't know. You heard it among the colored men, then, for three weeks before the election?—A. Yes, sir.

Q. That there would be a fight?

Mr. LAPHAM. On election day, he says.

A. Yes, probably on the election day, at the polls.

By Mr. VANCE:

Q. Can you give us the names of any colored man who said that?—A. No, sir; no particular one; I heard it as a general thing everywhere I went.

Q. That there would be a fight?—A. Yes; sir.

Q. How did they seem to speak of it; that they were willing to have it, or that they were fearful of it?

Mr. LAPHAM. That's rather leading.

A. Well, just up until that morning I would hear it passing around; they would talk to me about it, and on the morning of the riot I went

into Mr. Nicholas's bar-room; there came a man in there who was a stranger to me, and he had taken a handkerchief out of his pocket, a silk handkerchief, and tied it around his neck.

Q. White man or colored?—A. White man; and there was a man in there named Mr. Pennell, a blacksmith, and I touched him and said, "Don't look at the man, but tell me who that man is." He looked for a minute, and said it was Colonel Sims.

Q. Mr. Sims?—A. Yes, sir. I hadn't heard Mr. Sim's speech he had made the night before; hadn't seen him, and didn't know him. I came out of the bar-room then, and in a few minutes he came out behind me, and walked down street fifteen or twenty steps and there was a buggy standing hitched, and Mr. Verser was in it; he jumped into the buggy. I suppose there was about a hundred and fifty or two hundred colored people near about on the corner, and when he got into the buggy and drove off down town, they formed themselves somewhat in a line across the street and I commenced noticing it and I looked up about the Arlington and seen about thirty white men standing in the middle of the street, and there was a man, Davis Lewellyn, came to me—

Q. He is a colored man, is he not?—A. Yes, sir; he says, "I expected to see Colonel Sims interrupted," and then he says, "If they had, there would have been a mob here"; says he, "Have you got a pistol?" Says I, "Why?" He says, "It seems you don't understand what is going on." I then left him, and went on to my place of business. I reckon about an hour after that I went around to Mr. Brown's bar-room, as I generally visit bar-rooms sometimes, and I met him again.

Q. Davis Lewellyn?—A. Yes, sir; and Hense Lawson—they were drinking right smart, both good friends of mine; and I was generally with them a good deal. I didn't care to be with them at the time, and I passed through and went into the bar-room, and Hense came in, and Mr. Oliver and he had some words. I don't know how it came up—got to using pretty rough language to each other, and I took Hense and carried him out, asked him to quit, not to have any fuss, but he told me it seems I didn't understand what was going on; that they were expecting a fuss, and he had as many friends backing him as Oliver. I then left him again and went down to my place of business. I was standing there, and in a few minutes he and Lewellen came on down street, and I intended before they got to me to get to the rear of the store, but before they got to me they had some words with Mr. Noel. I think Hense stepped on Mr. Noel's foot; Noel asked him why did he do it, and he told him he didn't go to do it—he was getting out of the way of a lady; and he told him it was all right; and Davis told him it was not all right, and "damn it, if he would make it all right," and they engaged in a fight.

Q. Davis and Mr. Noel?—A. Yes, sir; I suppose they passed about four licks apiece. Davis seemed to get somewhat the best of it. There wasn't any more words passed. Mr. Noel came on down toward me. The next move I made was to go home. That's about all I know about the fuss.

Q. Davis told you on two occasions that you did not know what was going on?—A. Yes, sir.

Q. I ask you if you had a pistol?—A. Yes, sir.

Q. Did you see any arms on him?—A. No, sir; he told me he had a pistol.

Q. He told you he had a pistol?—A. Yes, sir; also told me so next morning after the fuss. He told me he had a pistol and drew it upon Mr. Oliver.

Q. How many colored people were there in the street when Mr. Sims got in his buggy?—A. Well, I suppose there was about one hundred and fifty or two hundred—a good crowd.

Q. And you say when he got in his buggy they formed sort of a line across the street?—A. Yes, sir.

Q. And that there were twenty-five or thirty white men in the street up toward the Arlington?—A. Yes, sir. Well, I had several talks with them before that; they had told me always—said there would be a fuss. It seems that it was understood there would be a fuss on the day of election.

Q. They seemed to think the fuss would come on the election day?—A. Yes, sir.

Q. But they were evidently expecting the fuss?—A. Yes, sir.

Q. Did you see any disposition on their part to shrink from it, or did they seem to be ready for it?—A. Seemed to be ready for it that morning; I thought the time was getting mighty hot myself; I did not know, but I thought if there was any fighting to be done I was going to be about home.

Q. Did you have any weapons yourself?—A. Yes, sir.

Q. You were not present when the fight began, and took no part in it?—A. No, sir.

Q. Now, I will ask you if you did not go home to avoid a fuss that you thought that these men were going to bring on?—A. Yes, sir.

Q. That is what you went home for?—A. Yes, sir; Mr. Vass asked me why was it I wanted to go home; I didn't tell him. I told him I had some business up in the country, and then I also at the same time asked him if he had a pistol about him, and I told him I had heard some violent threats and thought he had better be ready.

Q. Thought he had better be ready?—A. Yes, sir.

Q. And you left your business and went home on purpose to avoid any trouble?—A. Yes, sir.

Q. And were yourself present in a bar-room there at Hessberg's when Mr. Sims was present?—A. I was, and Mr. Pennell was there; there was several men, I knew them all; I didn't pay any attention to them.

Q. If I call over their names maybe you would recognize them. Was Colonel Rallston there?—A. No, sir.

Q. Was Verser there?—A. No, sir; he was in the buggy outside.

Q. Was Johnston there?—A. I don't know; I paid attention to Mr. Pennell by asking him who the man was.

Q. I will ask you up to this time when this trouble broke out there, what had been the general feeling between the whites and blacks?—A. I don't know really as I could answer it.

Q. Well, you have lived there you say fourteen years?—A. They always treated me well; everybody, both black and white.

Q. Both black and white treated you well?—A. Yes, sir.

Q. Now, was there a friendly feeling or otherwise between the blacks and whites, as a general rule?—A. There seemed to be some disagreeable feeling between them at that time, and had been for a month or two, toward the colored people; I don't know what more than politics; that's what I supposed.

Q. Now, I want to know about the business relations between the whites and blacks; were they friendly or otherwise?—A. They were friendly.

Q. The colored people do a great deal of work about Danville, don't they; the bulk of the repairs there?—A. Yes, sir.

Q. Do they receive pretty good wages?—A. Yes, sir; tolerable.

Q. It is a business and pushing town, is it not?—A. Yes, sir.

Q. A growing town, and with the exception of the jealousy and heat engendered by elections you think they have been on friendly terms?—A. Yes, sir.

Q. Has there been any interference with the right of the colored people to vote as they pleased there?—A. None to my knowledge.

Q. None that you ever saw?—A. No, sir; it has always been as peaceable and quiet at the time of election as any place I ever saw.

Q. Always with this exception, it has been peaceful as any town you ever saw?—A. Yes, sir.

By Mr. LAPHAM:

Q. Who did you say you worked for?—A. Vass & Co.

Q. What is their business?—A. Hardware.

Q. Do they keep arms for sale?—A. Yes, sir.

Q. Do you know in what quantity?—A. No, sir.

Q. What did you do?—A. I worked through the house; different things.

Q. Through their store, you mean?—A. Yes, sir.

Q. Did you drive team?—A. No, sir.

Q. Who did drive team?—A. A man drove the team named Lee Graves.

Q. Did not you know of arms coming there from the depot that season?—A. Yes, sir; arms came through at all times.

Q. No; I did not ask that.—A. What was it?

Q. Do not you know of their coming there last summer?—A. Arms?

Q. Arms—pistol or guns?—A. No, sir; no more than usual.

Q. That I did not ask. You answer my question; do not you know that arms were brought there from the railroad last summer before this riot?—A. Yes, sir; some brought since.

Q. Well, you will keep answering something I do not ask. Why do you call yourself a negro?—A. I do not know.

Q. No; I do not think you do.—A. Other people call me that, and I hardly ever call myself at all.

Q. Where were you born?—A. In North Carolina.

Q. You came from North Carolina, how long ago?—A. Little over fourteen years I have been in Virginia.

Q. How long have you worked for this firm?—A. Since 1876.

Q. They are Democrats, are they not?—A. I reckon so.

Q. Now, Sims had made a speech there the night before had he not?—A. Yes, sir.

Q. And there was apprehension that there might be some effort to disturb him?—A. I had not heard it until then.

Q. Well, you understood that that was the fact?—A. I understood that morning that he had made a speech.

Q. You understood that there was apprehension that there might be some violence toward him?—A. Not until that morning; I heard it from Davis Llewellyn.

Q. You understood it at that time?—A. Yes, sir; I understood it then.

Q. And the colored people were there at the time Sims started to go?—A. Whether they—

Q. Where did he go; towards the depot?—A. I couldn't tell you; he went down street.

Q. Well, there was an assemblage of colored people in one part of the street, and an assemblage of white people in another?—A. Yes, sir.

Q. And he rode out without anybody disturbing him?—A. Yes, sir.

Q. And they all separated, did they not?—A. No, sir; neither the whites or colored people; Sims and the men at that time separated, because he went off.

Q. Well, I mean these people gathered in the street; did not they separate and go away?—A. No, sir; I staid there until after 11 o'clock, and they were still there.

Q. Whites and colored both?—A. Yes, sir.

Q. Both maintained their rights up to the time you left?—A. Yes, sir.

Q. How near were you to the white people?—A. I was sometimes with them, and sometimes with the colored people.

Q. Were they armed?—A. I don't know.

Q. Didn't you see any of them armed?—A. No, sir.

Q. You saw no colored person armed except Llewellen?—A. Didn't see him; he said he was.

Q. You did not even see his arms?—A. No, sir.

Q. There were no arms drawn or exhibited by either party at that time of day; that morning?—A. No, sir.

Q. And you advised your employer, you say, to get a pistol?—A. I didn't particularly advise him; I told him I thought he ought to have one.

Q. You told him he had better be armed; well, did he arm himself?—A. I don't know; I never asked him.

Q. What arm had you?—A. A pistol.

Q. What kind?—A. Smith & Wesson.

Q. Where did you get it?—A. I bought it there.

Q. Where?—A. In that house.

Q. How long before this?—A. About five years ago.

Q. And you were carrying it that day?—A. I didn't have it at that time, but I had it a very few minutes afterwards.

Q. Where was it?—A. It was about a mile to the man's house.

Q. Not at your own house?—A. No, sir.

Q. You went and got your pistol and carried it home?—A. I got on a horse and went for it; came back and put the horse up and went home.

Q. Who did you say advised you to go home; you said something Noel said to you after you had this talk with Llewellen?—A. Never did speak to him, and he hasn't spoken to me yet.

Q. Who was it spoke to you after this fight between Llewellen and Noel?—A. No one at all; I went to my employer and told him I would like to be off the remainder of the day.

Q. Llewellen, you say, got the better of Noel?—A. No, sir.

Q. Knocked him down?—A. No, sir; knocked him off the sidewalk.

Q. How many times?—A. Once.

Q. Noel left him, did he?—A. Yes, sir.

Q. What time of day was that?—A. It was long about 9 or 10 o'clock in the morning.

Q. Was it after Sims had left?—A. Yes, sir.

Q. How long after?—A. I don't know; not very long; I had been in Mr. Brown's bar-room and come back.

Q. How many different bar-rooms did you go to that forenoon?—A. I went to them two.

Q. Are they the only ones?—A. Yes, sir.

Q. Did you go more than once to either of those?—A. As a general thing I go to Mr. Nicholas's.

Q. No, no. I am asking you now about that morning.

Mr. VANCE. I reckon that is hardly competent.

A. I reckon I had been there half a dozen times. I did not go there to get drinks every time, though.

By Mr. LAPHAM:

Q. I did not ask you that at all. I want to know how many times you went there where you saw Sims?—A. I couldn't tell you. I might have been twice or a dozen times; I couldn't tell.

Q. Can you state which of the times you were there it was when you saw Sims?—A. No, sir; it was one of the times.

Q. Well, whether it was the first, second, or third or last, you cannot state?—A. I can't tell.

Q. You did not stay there long?—A. No, sir.

Q. What time did you go home?—A. I went home about 11 o'clock, or a little after.

Q. And did not return to the streets again that day?—A. Yes, sir.

Q. What time?—A. Well, not until after the riot, I mean.

Q. Not until after the riot?—A. A few minutes after the riot.

Q. Did you go up armed then?—A. Yes, sir.

Q. Did you see any shooting before you got up there?—A. No, sir; never heard any of it at all.

W. H. McCORMICK sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Danville, Va.

Q. What is your business?—A. Police officer.

Q. Have you any knowledge on the subject of the colored people carrying arms?—A. Yes, sir; I have seen them with arms.

Q. About how often; how many of them have you seen with arms?—A. I have seen them a great many times before the riot; I have not seen many since; I have seen one or two since.

Q. And before the riot you saw a great many colored people with arms?—A. Yes, sir.

Q. What kind of arms?—A. Revolvers.

Q. Were you present the night Mr. Sims spoke?—A. I passed through the crowd going to the jail.

Q. Why were you going to the jail?—A. Carrying prisoners.

Q. What prisoners?—A. I have forgotten their names now.

Q. White or colored?—A. Colored.

Q. Colored men?—A. Yes, sir.

Q. Did you see any pistols in that crowd?—A. Yes, sir.

Q. How many?—A. I could not tell; I went through the outside of the crowd, and it seemed to me nearly every man I passed had a pistol.

Q. How could you tell that they had them; did they have them out?—A. They had them in their outside pockets.

Q. Why were you going through the crowd?—A. It is the only way I could get to the jail, and after going to the jail I came out in the crowd to look for a magistrate—a colored magistrate, Wesley Jones.

Q. And in passing through the crowd on these occasions you thought nearly every other man had a pistol?—A. Yes, sir.

Q. You saw them in their pockets. Did you see anything of Lawson, Davis Llewellyn, and others, on the streets the morning of the riot?—A. Yes, sir.

Q. What were they doing?—A. I was going either up or down Main street, and in passing Nicholas & Hessberg's, just above there, the en-

trance to Jones' office, I heard some one talking and looked to see who it was, and I saw Davis Llewellyn, Hense Lawson, and I think Doc. Williams, and maybe one or two others, standing in there.

Q. Standing in where?—A. In the hallway entrance to Jones' office, upstairs.

Q. What were they doing?—A. There were two of them at least, I thought, loading pistols. They had them in their hands, one a white-handled pistol, the other a pistol with the handle all metal. Llewellyn had a white-handled pistol.

Q. They seemed to be loading them?—A. I thought so; I didn't stop; just passed along.

Q. Did you make any report of that?—A. Yes, sir.

Q. To whom?—A. Afterwards I had a conversation with the chief of police, Mr. Hall, and another member of the police force, Mr. Winn.

Q. And you reported to them this fact that you had seen these men with pistols and loading them?—A. Yes, sir.

Q. Had you seen any white men with pistols prior to the riot?—A. Yes, sir.

Q. Who were they?—A. I arrested Mr. N. L. Wade, jr., the night before for carrying concealed weapons. He was fined that morning.

Q. For carrying a pistol?—A. Yes, sir.

Q. Is that all you saw of the riot?—A. I was on the street afterwards, but I did not see anything of the riot.

Q. Nor any of the preliminary fight that led to it?—A. No, sir; I was not on duty that day.

By Mr. LAPHAM:

Q. Can you name any colored man you saw with a pistol the night Sims spoke?—A. No, sir; I don't think I can.

Q. How long had you been a policeman at that time?—A. That was some time in November; I had been a policeman since the 7th of September.

Q. Do you still occupy the place?—A. Yes, sir.

Q. You are a Democrat?—A. Yes, sir.

Q. Who appointed you?—A. When I was appointed I was appointed by Mayor Johnstone. Since then I was elected by the council.

Q. You were appointed by the Readjuster mayor there?—A. Yes, sir.

Q. Can you name any other white person you saw with arms except the one you have given?—A. Up to the time of the riot?

Q. That morning; that forenoon.—A. No, sir; that is the only one; I saw plenty after the riot.

Q. Well, there is no dispute about that. Did you make this report in writing, or orally?—A. No, sir; I didn't make it as a report; that was talking.

Q. One moment now. Was it not your duty to report it to the authorities?—A. No, sir; it was no violation of the law.

Q. What, carrying concealed weapons?—A. It was not concealed. If it had been concealed I would not have seen it.

Q. That is the way you avoid it?—A. Yes, sir.

Q. You do not regard carrying a pistol in a pocket where you can see the hilt of it as a violation of the law?—A. No, sir.

Q. That is not so understood there to be an offense?—A. No, sir; no offense.

Q. If a man puts his pistol in his belt or in his breast pocket, where you can see it, that is no offense?—A. No, sir.

Q. Then why did you report these things?—A. I didn't report. I

was going on to tell you we had a conversation amongst us in the mayor's office.

Q. And that is all you mean by it; you answered Governor Vance that you reported this case? You did not mean, then, that you made an official report to the authorities?—A. No, sir.

Q. You simply talked it?—A. We were in there talking.

Q. Oh, I did not ask that, nor he did not. What is your business; any other than policeman?—A. No, sir.

Q. What is your pay?—A. Fifty dollars a month.

Q. When were you chosen by the city council?—A. The second day of January.

Q. Of the present year?—A. Yes, sir.

Q. That is Democratic now, is it not?—A. Yes, sir.

Q. Do you know whether the time you saw Llewellyn was before or after he had had the fight with Noel?—A. I don't know.

Q. You cannot answer that even?—A. No, sir.

Q. What time in the morning was it?—A. I cannot answer that. It was some time, though, between 8 o'clock and 10; somewhere near 10 o'clock.

Q. That is as near as you can come to it?—A. Yes, sir.

Q. You did not hear anything they said?—A. No, sir; not a word.

Q. You are not certain he was loading it?—A. I am not certain he was loading it, but I am certain there was two had pistols.

Q. But they were not concealed?—A. No, sir.

Q. You knew Llewellyn and Lawson both, did you not?—A. Yes, sir; I have known them for a good many years.

Q. Where were you at the time of the riot?—A. I was home and asleep, about half a mile off.

J. R. PLEASANTS sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. Danville.

Q. What is your business?—A. Carpenter and builder; contractor you might call me.

Q. Did you see anything of this riot?—A. I saw a little of it from the opera house window. I was in the opera house when the riot took place.

Q. You were attending that meeting, were you?—A. Yes, sir.

Q. What did you see from the window?—A. Well, I saw them running; I didn't see any shooting; I heard the shooting.

Q. Did you see anything as you were going home from the scene of the riot?—A. Yes, sir; I went from the opera house down there by Nicholas & Hesseberg's corner. There I met two colored policemen, and I asked them what had happened, and they told me that Walters Holland was wounded; that is about all I heard. I went from there up on Union street, where I live, and in going over there, just before I got home, I saw four or five negroes with guns on their shoulders walking very rapidly down towards where the riot took place, and in that gang was some three or four more with clubs on their shoulders.

Q. Base-ball bats?—A. Base-ball bats.

Q. Four or five with guns and several with clubs—base-ball bats?—A. Yes, sir.

Q. Did you hear them say anything?—A. As they went by me—I was the only white man that I saw along there at all; there was a good many negroes on the sidewalk, and I felt a little alarmed, not being

armed at all, and I heard them say that they were going down there to kill out some of them damned poor white people.

Q. They were still walking on down Union street?—A. Yes, sir.

Q. Toward Main?—A. Toward Main.

Q. Where did the colored people mostly congregate about that time?—A. Well, we had a good many of them up on Union street. They have a colored soldier company up there, I forget the name of it, and the armory was on Union street, and I had to go right by the armory, and I met a good many right there by the armory.

Q. There are a good many there generally in front of the armory on Union street?—A. Yes, sir.

Q. The Douglas Guards, I think they are called, are they not?—A. I don't know. I heard a woman say before I got to the armory, "Why don't the Douglas Guards turn out and kill the poor white people."

Q. That was a negro woman?—A. Yes, sir.

Q. Now, do you know that ladies, or that white people were subjected to any indignities on the streets by rude conduct of the colored people?—A. Well, sir, it is my misfortune to live on Union street, and I had to pass through what is called Hell's Half Acre with my family when I went to church or the opera house; we had to go right down Union, and I have gone down there many times and have had to walk off the walk around them, when I would see the colored police there amongst them on duty.

Q. You had to walk around them?—A. Yes, sir.

Q. Did you have to do that when you had females of your family with you?—A. Yes, sir.

Q. Did you see any indecent nuisances committed on the street there at any time?—A. I have frequently seen them urinating up aside the wall up there; a factory wall.

Q. In the daylight?—A. Well, in the twilight; late in the evening, just about dusk.

Q. Was that done when any ladies were on the street?—A. I had my wife with me at one time. Just as I approached one he was urinating; I could see it.

Q. When you returned there when you said you were somewhat alarmed, passed through and met these negroes with guns and clubs, did you have any weapon yourself?—A. No, sir.

Q. When you came out of the opera house you didn't go up among the people where the riot had taken place?—A. Not much; I only went where these two colored policemen were, and inquired of them what had happened, how many were wounded.

Q. And they told you Mr. Walters Holland had been wounded?—A. Yes, sir; and then they went up a little higher, on Mr. Wiseman's corner, and saw a colored man laying there dying.

Q. Where was that?—A. Up there on the corner of Union and Main, and then I went right home and told my wife what had happened.

By Mr. LAPHAM:

Q. Did the colored people ever turn out and go around when you were walking on the walk?—A. I don't think they ever did. I have always been very careful to give way.

Q. Oh, no, that is not the point, whether you have been careful; was it not their custom, their practice, their habit as a rule to give the walk to white people when they were approaching each other?—A. On Union street I have had them almost shove me off.

Q. You have stated that?—A. Yes, sir.

Q. But did not you ever have them pass around you there?—A. I have had them several times pass around me walking two and two, walking, one going one way and one the other; but I was just speaking——

Q. Well, you answer my questions; that is what I want you to do; not debate this question. Now, I ask you if it was not the general rule that the colored people gave the sidewalks to the white people?—A. Not to my knowledge.

Q. Do you think it was the reverse, that they claimed the walk, and drove the white people off; did you mean to say that?—A. I mean to say not in that party that I had alluded to.

Q. But I am not alluding to that party; I am alluding to the general practice there. I ask you if it was not the general practice for the colored people to turn out and give the sidewalk to the whites?—A. They have always been polite.

Q. I thought you would say so, if you understood it; that was the rule, was it not?—A. Yes, sir; the general rule.

Q. No, there was one occasion when you had to turn out to go by people with a policeman. Who was that?—A. On one occasion?

Q. Yes.—A. It was a dozen occasions.

Q. Who were they; do you know who they were?—A. They were standing on the street, and there was a group of them.

Q. A group of them; they were discussing something, were they not?—A. Yes, sir.

Q. You went out by them in the street?—A. I would not attempt to try to shove them away.

Q. I don't ask you what you would attempt to do; I say you went around and left them on the sidewalk?—A. Yes, sir.

Q. When did that occur, now?—A. In October, before the election.

Q. Did it ever occur but once?—A. It occurred dozens of times.

Q. The same things? They standing with a policeman every time?—A. No, sir; not standing with a policeman.

Q. I asked you if that ever occurred but once when a group stood with a policeman, and you had to pass out around them?—A. I think it occurred twice.

Q. Who were the policemen?—A. Withers and Adams.

Q. Did you make any request that they should give you the walk?—A. No, sir.

Q. You said nothing about it; you did not ask them to divide the walk with you?—A. No, sir.

Q. Did you see any dead colored people on that street?—A. Not on Union street.

Q. Well, on any street?—A. I saw one on Main, near Union.

Q. Near the mouth of Union?—A. Yes, sir.

Q. You did not see one on Union street?—A. No, sir.

Q. You saw him as you went up?—A. Yes, sir.

Q. The armory of the colored people is on Union street?—A. On Union street; yes, sir.

Q. And these persons that you saw were coming from the direction of their armory?—A. A good many standing around the armory.

Q. No, these you met coming with guns?—A. Well, I met them between the armory and my house, going towards the armory.

Q. Going towards the armory, very well; so you went directly home?—A. Yes, sir.

Q. You stated now that you did not see who commenced the firing?—A. No, sir.

Q. Did you see Holland?—A. No, sir; I did not.

Q. You did not see anybody who was hit down on the street, then?—

A. I saw one man laying down on the walk, as I told you just now.

Q. A colored man?—A. A colored man.

Q. Where?—A. Up on Main near Union.

Q. Yes, that you stated.—A. Yes, sir.

Q. But no other?—A. No other.

Q. What are your politics?—A. Democrat.

Q. And this meeting at the opera house indorsed the Coalition rule circular, did it not?—A. Yes, sir.

Q. And passed a resolution?—A. Yes, sir.

Q. How many were there?—A. I reckon about 400 or 500.

Q. Well, it was unanimous, was it not?—A. It would have been if the riot had not taken place.

Q. Well, the vote on the resolution was without any dissent?—A. Yes, sir.

Q. And that is what the meeting was called for?—A. I don't know what the meeting was called for.

Q. Did you not understand it was called for the purpose of indorsing that circular?—A. No, sir; I saw a notice of the meeting up on the Arlington.

Q. Did you not know that no colored people were admitted to that meeting?—A. I did not know that was the case.

Q. You did not belong to the club yourself?—A. Yes, sir.

Q. You did belong to the club?—A. Yes, sir.

Q. Did you know of the resolution offered withdrawing patronage from the colored people and Readjusters?—A. I heard one offered.

Q. Well, it was passed, was it not?—A. Yes, sir.

By Mr. VANCE:

Q. You say it was a general rule for the black people to give place on the pavement to the white people, and that they had generally been very polite?—A. Yes, sir.

Q. When did they cease—when did the rudeness begin?—A. The rudeness began on Union street, which I referred to. It seemed to be right there on Hell's Half Acre, a point for general argument of politics; they would always get there, right in front of a bar-room—

Q. I know, but you spoke of the general rule of the colored people being very polite to the white people on the streets in Danville, as it is everywhere. When did this rudeness begin—how long before the riot did they begin to shove people off the streets?

Mr. LAPHAM. He has not said that they shoved anybody off.

Mr. VANCE. He said he was very nearly shoved off.

Mr. LAPHAM. Well, that is not shoved off, if very nearly. He has not said any colored man touched him, nor will not say it.

The WITNESS. I can state that I used to feel uneasy in the evenings coming home, and have heard several threats right behind me about "damned poor white people."

By Mr. VANCE:

Q. When did this begin to take place? You say they had formerly been very polite; when did they begin to display this rudeness on the street?—A. Only a week or two before the election I noticed it more particularly.

Q. But you say this occurred not once, but dozens of times?—A. Yes, sir.

Q. You spoke of meeting them going towards the armory; now where were those men going that you met?—A. Going towards the armory; I do not know whether they were going to the armory or not. They had their guns on their shoulders. I do not know where they were going to at all.

Q. If you were coming from the scene of the riot, and they met you, they must have been coming from the opposite direction?—A. From the opposite direction, of course.

Q. They did not come from down the street?—A. No, sir.

Q. Was there up in that direction any number of negro citizens?—A. Yes, sir; on the street just above there a good many of them, perhaps a majority of them, lived on that end.

Q. Were they coming from that direction when you met them?—A. Yes, sir.

By Mr. LAPHAM:

Q. You speak, then, only of what occurred in Union street?—A. Yes, sir. That is the only thing that I know of in Union street.

Q. That is where their armory was?—A. Yes, sir.

Q. That is where they were accustomed to gather more than in any other place?—A. Yes, sir.

Q. You spoke of their being in front of some grocery?—A. That is, in front of a bar-room.

Q. They were talking politics, you say?—A. Yes, sir; they used to get there most every evening; there is a barber shop there—

Mr. VANCE. I believe that is going right over the same track.

Mr. LAPHAM. No, sir; he had not been asked that question.

Mr. VANCE. Oh, yes.

Mr. LAPHAM. Very well; I will waive it if you are so sensitive.

Mr. VANCE. No; I am not sensitive, but I don't want to be going over the same thing.

B. F. JEFFERSON sworn and examined.

By Mr. VANCE:

Question. Where do you live, and what is your occupation?—Answer. I live in North Danville; and my occupation is a lumber and coal dealer.

Q. Do you know anything of the habit of the colored men carrying arms?—A. I have known it for right smart before this riot; they were in the habit of carrying them, amongst my own hands especially.

Q. How many hands had you generally employed?—A. We work twenty-five or thirty in different places.

Q. Did you see any of them at any time with arms?—A. Well, I have known them to hang their coats up about the place, and lay them down, and have detected pistols sticking in the pockets.

Q. In the pockets of their coats when they took them off?—A. Yes, sir.

Q. Did you see any one Sunday morning after the riot with pistols?—A. I went to the post-office Sunday morning after the riot; myself and my partner walked over there, and I noticed five colored men in there with three or four pistols sticking right out here [indicating the breast pocket], not concealed at all.

Q. Out of the five men you saw, you say there were four of them had pistols?—A. I say four to six.

By Mr. LAPHAM:

Q. When was it that you saw the men who work for you, or any of them, having arms?—A. On one particular occasion my partner had an

overcoat—I have got a coat here very much like it now—and he sold it to one of the hands——

Q. Oh, well, there is no need of having all that detail; I simply asked you when it was.—A. Just a few weeks before this riot.

Q. Did you say anything to the men about it?—A. No; my partner, as I started to tell you——

Q. Did you say anything to the man who had the pistol?—A. About his having it?

Q. Remonstrating with him about it?—A. No, sir; didn't say anything to him at all.

Q. You knew it was unlawful to carry it?—A. Yes, sir.

Q. You knew a large number of indictments had been found for that?—A. I never saw the coat on his body, though if you will allow me to explain——

Q. I will allow you to explain; I just want you to answer the question I asked.—A. Well, I did not see this coat on his body.

Q. That makes it still weaker. Now answer the question—Did you not know there had been a large number of indictments against persons for carrying concealed weapons against the law?

Mr. VANCE. Only your own knowledge.

Mr. LAPHAM. No; your knowledge of the fact.

The CHAIRMAN. That has been testified to by about a dozen witnesses.

Mr. VANCE. I know it has, but the Senator is not liberal with the witness, and I don't intend to let him ask——

The CHAIRMAN. But we have proved the fact.

By Mr. LAPHAM:

Q. Had you heard the fact?—A. I don't remember the fact. I know the fact that indictments were found against one or two.

Q. Before you saw the pistol in the pocket of his coat?—A. Yes, sir; before.

Q. And still you said nothing to the man about it?—A. The coat was not on his body.

Q. Of course it was not. You did not see but one, then?—A. I saw more than that.

Q. Did you say anything to any one of them?—A. No, sir; some of the coats, I don't know which, belonged to the owners.

Q. They were all your employés, were they not?—A. Yes, sir.

Q. Then why do you swear they had pistols in their coats if you don't know which they belonged to?—A. If you will allow me to explain.

Q. Willingly.—A. Now, my partner had a coat and he sold it to one of these negroes, and his duty was to come in the office and clean up in the morning, and would hang up his coat, and my partner thought it was his coat and put it on to wear it when he went home, and put his hand in the pocket and pulled out a pistol and asked me whose it was, and come to examine it we found it was the coat he had sold.

Q. Are you sure your partner was not mistaken?—A. He thought it was his coat when he put it on.

Q. You do not know but what it was, do you?—A. I am satisfied it was not his coat.

Q. You may be satisfied, but do you know?—A. Well, the boy is wearing the coat now, to this day; I see it every day.

Q. Now, I will ask you again, did you say anything to the man to whom that coat was given about his carrying weapons?—A. No, sir.

Q. Or did your partner say anything to him?—A. Not that I know of; I did not ask him.

Q. You knew it was unlawful?—A. Yes, sir.

Q. And they were in your employment and you never said a word to him about it?—A. I never said anything because——

Mr. VANCE. Say why you did not say anything about it to him if you wish.

A. Well, because nearly every colored man in town was carrying weapons; he lived out of town, and I was satisfied they were all carrying them, although I did not see them all, and he might want it for his own protection.

Q. Did the man to whom the coat had been sold afterwards claim the coat?—A. The coat was hanging upon the wall and nothing was said, and he took it off and went on home. I don't think there was a word said one way or the other.

Q. Did you see any other——

Mr. LAPHAM. Now is this a re-examination?

Mr. VANCE. It is a re-examination on the point you brought out.

Mr. LAPHAM. Not by any manner of means; mine was a cross-examination of yours. I asked the witness was there anything said about that coat.

Mr. VANCE. No, sir; there was nothing said about that, and the record will show it.

Mr. LAPHAM. I will swear the record will not; it is wrong if it does, because he did not say one word about the overcoat until in answer to your question.

Mr. VANCE. You are mistaken; you brought out the whole matter about the overcoat, and then stopped him and would not let him explain it.

Mr. LAPHAM. Oh, I asked him to explain it.

Mr. VANCE. Yes, after you had browbeat him for awhile.

Mr. LAPHAM. Well, if I can beat you at browbeating I am an expert.

The CHAIRMAN. The witness seems to be calm.

The WITNESS. Oh, I am enjoying it.

Mr. VANCE. It is an illiberal way, chopping off a witness without allowing him to explain, and it is not fair. It is not an investigation after truth; it is attempting to get some advantage.

By Mr. LAPHAM:

Q. Did you carry a weapon?—A. Yes, sir.

Q. What?—A. Smith and Wesson.

Q. When did you get it?—A. About a month before that riot.

By Mr. VANCE:

Q. Why did you get that weapon to carry?—A. The reason why I got it was because when this political campaign commenced I noticed all the negroes were carrying pistols, and, passing them on the streets, I could hear remarks, and it made me believe it was time for every white man to be armed.

Q. For that reason you bought a pistol?—A. That is the reason I bought a pistol; I never had one before.

By Mr. LAPHAM:

Q. You have not stated your politics?—A. I vote the Democratic ticket.

HOWARD COBB sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville.

What is your occupation?—A. Tobacco auctioneer.

Do you know any instances of this rudeness by colored people to—

wards white people on the streets that was complained of?—A. I know of one instance.

Q. Give us that, please?—A. That of my wife; she was knocked off by a colored girl one day, and she told her next time to get off before she was knocked off; that is about the only instance that I know of.

Q. Is there anything else; do you know anything about the habit of the colored people carrying arms?—A. No, sir; I do not.

Q. You do not remember of ever having seen colored men with arms?—A. Except one we had in our employ in the warehouse. I saw him stoop down one evening, and one dropped out of his pocket.

Q. Was he at work?—A. Yes, sir; except on the day of the riot.

Q. Did you see any on the day of the riot?—A. Yes, sir; I saw some in the hands of some about the time the shooting commenced.

Q. How many?—A. I do not know that I could say.

Q. How did you happen to see them?—A. I was right near there when the shooting commenced—near enough to see them in their hands.

Q. Near the scene of the riot?—A. Yes, sir.

Q. I thought it was in your warehouse you spoke of?—A. I say this boy was the only colored man I saw with a pistol until the day of the riot.

Q. How many did you see with pistols then?—A. Well, some half a dozen.

Q. Did you see any firing?—A. I don't know; I couldn't tell you whether I saw any particular men, white or colored, fire.

By Mr. LAPHAM:

Q. Were you with your wife on this occasion?—A. I was not.

Q. Then you only know that from what she told you?—A. That is all.

Q. You did not see it at all?—A. No, sir. She spoke of being very much aggrieved when I went home.

Q. Very well; I thought it was something you saw yourself.—A. No, sir.

Q. What are your politics?—A. Democrat.

Q. You do not know which fired first then?—A. No, sir; I don't know.

W. A. COBB sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived there?—A. Between four and five years.

Q. What is your occupation?—A. Manager for Dudley's factory.

Q. Did you see anything of the riot?—A. I saw a portion of it. I saw the fight between Noel and Hense Lawson.

Q. Did you see anything more of it than the fight between Noel and Lawson?—A. That is about all I saw of it.

Q. Did you see any colored men with arms?—A. I saw one.

Q. Who was that?—A. I didn't know him.

Q. Did you see any of them shoot?—A. Any which—colored?

Q. Any colored man shoot?—A. I did not see any one shoot at all.

Q. You did not stay until the shooting actually began?—A. No, sir.

Q. Why did you leave so suddenly?—A. I left because I thought it was all over with.

Q. That was after they had been separated?—A. That was after they had been separated.

Q. You thought the trouble was at an end and you went off?—A. I went off down street.

Q. You saw but one colored man with a weapon?—A. That is all.

WASHINGTON, D. C., *Thursday, April 3, 1884.*

A. W. MILLER sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside now in Richmond.

Q. Where did you reside on the 3d of November last?—A. In Danville.

Q. What was your business?—A. Salesman in a dry-goods store.

Q. In what establishment were you at the time you lived in Danville?—A. Turner Brothers.

Q. Did you see anything of the riot?—A. Yes, sir.

Q. What did you see?—A. Well, I was in the opera house, and my attention was called by some hollering on the street. I went to the window and looked up the street and saw a small gathering at that time, and these persons seemed to be hollering “murder,” and the crowd commenced to gather, mostly colored people. They rushed up all in front of Ruffin, Woolfolk & Blair’s office. I saw the smoke from a pistol; I didn’t hear the report, and I got up in the hall and I was requested to remain until the business was over. On the other hand, I thought they were fighting out on the street, and I would go out there. I went down in the store and heard that Mr. George Lea was shot. Being a friend of mine, I asked my employer, Mr. Turner, if he had a pistol. He told me he had. I took it and went up to where the row was and the crowd was so thick in the street that I could not get to where Lea was. I could see by tip-toeing over the heads of the crowd, but in going on up there my attention was called by some one saying, “Look at that nigger with a pistol;” and out in the midst of the crowd I could see the hand with the pistol up shaking it that way [indicating], and out in the crowd I could see several pistols, but they were just in the crowd handling them. Just before I got to where the crowd was I was passing a negro along on the street who remarked that the white men didn’t own all of the pistols in the town.

Q. The negro made that remark?—A. Yes, sir.

Q. Did you know him?—A. I did not. From that fact, it was on that account I thought most of the negroes were from the country. You see it occurred a little after 3 o’clock, and the factories there Saturday evening do not break up until four, and a great many negroes from the country are there Saturday evening.

Q. Did you see Squire Taliaferro and Hense Lawson just before going into the opera hall?—A. Yes, sir; they were standing at the entrance of the hall—standing in the gutter, not exactly on the sidewalk; were standing in the street, about in the gutter, as well as I recollect. I had just returned from dinner, and went in the store, and left my hat, and then came back and went up the steps. As I went up the steps they were hooting and laughing, and carrying on at a great rate at the people going up the steps.

Q. What were they saying?—A. I don’t recollect anything about what they were saying, further than poking fun at everybody that went up there.

Q. Rather jeering them?—A. I considered that they were rather poking fun at me.

Q. Did you say anything to them?—A. Nothing at all.

Q. After the first volley was fired, did you see any colored people running, and in what direction?—A. Well, they broke in several directions just after the first volley fired. There is a lot of stores right opposite the market. I suppose you have some idea of that—right opposite

the market are a great many barber shops, colored shops, and little trinket stores of different kinds. After the first volley I saw four or five colored men run to the corner of P. R. Jones's. My position after the first volley—I got knocked down by the crowd breaking—I stood over the entrance of the barber shop there near the corner in that door, which put me exactly in front of P. R. Jones's. I saw a great many, four or five darkies, running to that corner, and just "peep" around up to where the white men were, and I thought they were preparing to draw pistols, although I saw none.

Q. Why did you think so?—A. Well, they took the position I would have taken under the circumstances.

Q. Did they put their hands in their pockets?—A. Yes, sir; had their hands in their pockets; had their hands crossed so [indicating].

Q. Did you see any colored man with a knife?—A. No, sir; I saw one white man with a knife, with a blade about that long [indicating with little finger], chasing a little darky. I caught the little darky—the white man was a little under the influence of whisky—and I caught the little darky and threw him in this hall back behind me, and told him to stay there. I then caught this fellow, and told him to behave himself. I knew him very well.

Q. Did you see anything of Bob Adams, the policeman?—A. Bob Adams, at the first volley, broke and run down the street by Nicholas & Hessberg's store. He was one of the first to turn that corner, and consequently I don't think he was in a position to see——

Q. Do you know George Adams?—A. Yes, sir.

Q. Do you know Bob?—A. I know both of them.

Q. You know both of them, and this was Bob that you saw running?—A. Yes, sir.

Q. Did you hear any negroes say anything about what they intended to do on the day of the election?—A. One night before the election I was going home, and back of the street where I live there are a great many colored people living, and I walked up behind this crowd—they seemed to be young boys—and one of them remarked—they were talking about the coming election, I soon found out—and one of them remarked there would be seven hundred boys at the election, and if anybody asked him to vote for the Conservative ticket he was bound to "cuss" him.

Q. Did you hear any shooting at night, in the region of the colored people's quarters?—A. Yes, sir; I heard shots there frequently, before the election. Upon one occasion I was walking up the street and a colored boy was walking with a colored girl, and he was only ten or fifteen feet in front of me, and some one fired over in Mechanicsville. This was on the corner of Grove and Ridge streets, and he drew his revolver and he got to the lamppost and says: "My brother, I meet you," and raised and fired.

Q. He was walking with a girl, was he, and stopped at a lamp-post and fired an answering shot.—A. Yes, sir; and said, "My brother, I meet you."

Q. How long before the election was that?—A. I don't know exactly; I couldn't give the date or exactly what time it was.

Q. Did any of this rudeness that has been spoken of in the testimony, by colored people on the streets, come under your personal notice?—A. Yes, sir; I have frequently seen colored girls butt ladies about on the streets—arm them off. I have spoken to one or two about it. One of them was a girl—a dining-room servant at the boarding-house I boarded at. This particular case has been over twelve months ago.

Q. Are there any more recent cases within your own knowledge?—
A. Yes, sir; all before the election, especially Saturday afternoons, when the factories were out, they took complete possession of the sidewalks.

Q. Did you see any of it yourself?—A. Yes, sir.

Q. Just relate any instances you saw.—A. I don't recollect the lady's name, but long before that time I noticed several instances of it. I don't think I could call one to mind at this time.

Q. Of elbowing ladies off the street?—A. Yes, sir; I had an old lady and her daughter come in the store and report to me——

Mr. LAPHAM. Oh, I object to that.

By Mr. VANCE:

Q. Yes, that is not of your own personal knowledge?—A. That is what I wanted to say; that is not of my personal knowledge.

Q. Were you a member of any political organization or club then?—
A. I was a member of the Democratic club.

Q. Which ward?—A. The third ward.

Q. Did you attend any of their meetings?—A. Yes, sir; I was generally there every night for a short time.

Q. Well, the meetings were mostly held at night, were they not?—
A. Yes, sir.

Q. Can you tell us whether anything was ever said in the club by any of its members in relation to the importance of keeping the peace and avoiding violence and collision with the black people?—A. I don't think I ever heard any one speak there at any time I was there but what spoke in favor of peace under all circumstances.

Q. Was that subject often alluded to?—A. Yes, sir; it was generally mentioned in speeches that we thought with a proper management the town could be carried easily by fair means—by conciliatory means to the colored people.

Q. Did you hear any counsel to the contrary?—A. I never did.

Q. Violence or anything of that sort?—A. No, sir; never heard anything of the sort suggested.

Q. Have you any knowledge whatever that would tend to show that this riot was premeditated by anybody?—A. I have none in the world.

Q. There was considerable political excitement, was there not, and heat?—A. Yes, sir.

Q. And in the face of that, you say that at all these meetings the subject was alluded to and peaceful measures were advised?—A. Yes, sir.

Q. You heard no counsel or suggestion or encouragement for violence?—A. No, sir.

Q. Did you have any expectation that there would be trouble that day when the collision did occur?—A. Well, Saturday morning I had heard that Colonel Sims would reply to the Danville circular.

Q. You heard that the night before?—A. Yes, sir. I think my ward club met that night, and from what I understood I thought that he would reply to it from the steps of the old Virginia House, which is at the entrance of the Third Ward Club. It was said he would speak from those steps, and not wishing to come into contact with anything of the sort, I didn't attend the club that evening, and the next morning when I got down town I heard a good deal about Colonel Sims's speech, both from the whites and some of the blacks speaking about it.

Q. It caused very considerable excitement, did it not?—A. Very great.

Q. What, in your opinion, produced that riot—was the approximate

cause of it?—A. I think Colonel Sims's address had as much to do with it as anything.

Q. Did it inflame the public?—A. Both sides.

Q. Both sides?—A. Yes, sir. The morning Colonel Sims left Danville—he was then rooming with Mr. Verser, about four or five doors from where I live, and I saw the horse and buggy that Mr. Verser usually drives on his campaigns drive up to that door and stop—well, I knew that some of the men that had been abused in Colonel Sims's speech were very hot-headed men, and liable to attack him at any minute, and I rather expected that if he was going to get into the buggy and go off the attack would have been there. I didn't see him on the street that morning, and had heard he was not on the street. Before this buggy started off, I reckon at least one hundred colored people congregated near there—not exactly in one body, but along in squads of seven and eight, and when Mr. Sims got in the buggy—he had come down and had gone up street before I knew anything of it—when he came down he stepped in Nicholas & Hessberg's for a short while, and came out to get in the buggy, but before getting in the buggy I saw him stop to talk to three or four colored men, pointing his hand in that way [indicating], and got in the buggy and left. As soon as he and Mr. Verser left this crowd broke up and went off on the street. I didn't see anything more.

By Mr. LAPHAM:

Q. How long have you lived in Danville?—A. I went there in March, the 16th, 1879.

Q. Were you an officer of the Democratic club?—A. No, sir; I was not an officer.

Q. Simply a member of the club?—A. Simply a member.

Q. Your meetings were secret meetings, were they not?—A. Not generally so; I have seen persons from outside.

Q. I mean they were not thrown open to the public?—A. No, sir.

Q. They were Democratic meetings?—A. They were Democratic meetings; yes, sir.

Q. And confined to supporters of the Democratic ticket?—A. Yes, sir.

Q. Now do you not know the fact that the question of violence to Sims was discussed among the whites there?—A. No, sir; if it was I knew nothing of it.

Q. You are ignorant of it if it was so?—A. Yes, sir.

Q. Wasn't there a gathering of white people in the streets as you went there?—A. Not any more than in other cases.

Q. Wasn't there a gathering at the time, I mean?—A. When?

Q. In the street when he drove away?—A. No, sir; not that I noticed.

Q. Up near the Arlington?—A. My place of business is about two squares—

Q. I am inquiring now up near the Arlington:—A. I couldn't see up there.

Q. They might have been there and you not have seen them?—A. Yes, they might have been there.

Q. Who was this man with a knife that was pursuing negroes?—A. His name was Hatcher.

Q. Give his first name.—A. E. M.

Q. Had he the knife open?—A. An open knife about that long [indicating with little finger].

Q. I didn't ask that.—A. Yes, sir.

Q. When I cross-examine I want categorical answers to my questions. I have a right to that; then, if you want to make an explanation, that is another matter. I want you to answer the questions I ask, because a cross-examination is wholly useless unless that is done. I ask you if he had his knife open?—A. Yes, sir.

Q. How far did he chase the negro?—A. Not over ten or fifteen yards.

Q. Who was the negro?—A. I didn't know him.

Q. Well, you interfered to screen that colored man?—A. Yes, sir.

Q. That is, you run him into some building? What did you say to Hatcher?—A. I told him to let him alone.

Q. Did Hatcher appear to be angry?—A. No, sir.

Q. He was deliberate, you think?—A. Yes, sir.

Q. Was that after the firing?—A. Yes, sir; well, the firing hadn't exactly stopped.

Q. Well, it was after the firing commenced?—A. Yes, sir.

Q. Did you see the first fire?—A. My back was turned to them at the first fire.

Q. You don't know who fired first?—A. No, sir.

Q. You say there was a meeting of your ward club the night that Sims spoke?—A. Yes, sir.

Q. But you didn't attend it?—A. No, sir.

Q. What deliberation there was then you don't know?—A. No, sir.

Q. Where did Sims go when he drove away with Verser?—A. I don't know.

Q. In what direction did he go?—A. Down Main street.

Q. Towards the depot?—A. Well, he might have gone to the Virginia Midland depot; that was on the other side of the river.

Q. You didn't see any more of him that day, did you?—A. I did not.

Q. You supposed, then, he was leaving town at that time?—A. Yes, sir.

Q. As soon as he went away the colored people broke up and went off—scattered?—A. Yes, sir.

By Mr. VANCE:

Q. What was the size of that knife Hatcher had?—A. It was a blade about that long [indicating with little finger].

Q. An ordinary penknife?—A. Yes, sir; an ordinary penknife.

Q. You say Mr. Hatcher was drinking?—A. Yes, sir.

By Mr. LAPHAM:

Q. Were you a clerk in the store of Turner & Brothers' dry-goods store?—A. Yes, sir.

Q. As a clerk, now, do you know of any effort on the part of Democrats to influence the withdrawal of patronage from that store?—A. I do not.

Q. They were Northern men, were they not?—A. Yes, sir.

Q. Well, don't you know that their patronage was withdrawn?—A. Know that it was?

Q. Yes.—A. I do not.

Q. Are they continuing business there?—A. Yes, sir.

Q. At this time?—A. He is preparing to close now; he is preparing to close; has not, in fact, closed.

Q. To go away from there?—A. I can explain that more fully.

Q. You answer my question. You can explain as much as you choose.

Mr. VANCE. That is, if I ask him.

Mr. LAPHAM. No; that is my right on cross-examination.

Mr. VANCE. Senator, I must deny that again. It is not your right to confine the witness to answering just as you wish.

Mr. LAPHAM. A categorical answer.

Mr. VANCE. No, sir; this is not a suit for a horse swap; it is an investigation by the Senate of the United States into great political questions, and you want the whole truth, or at least you ought to want it.

Mr. LAPHAM. I have no desire to have anything but the truth, but I want an answer of the witness categorically to the questions I put, and he can make any explanation he chooses.

Mr. VANCE. You can ask him, of course, and then he can explain, and he has a right to do it as he goes on. I insist upon it.

Mr. LAPHAM. The rule is different. I insist upon it.

Mr. VANCE. You ask an important question to show that this man was forced away from Danville, and you won't allow him to explain why he left there.

Mr. LAPHAM. Why, he hasn't left there, he says.

Q. Were those gentlemen Coalitionists?—A. They were not.

Q. Neither of them?—A. Neither of them.

Q. Don't you know of any resolution in your club to withdraw patronage from the Coalitionists and colored people?—A. I don't recollect; but, as I stated, I didn't attend the meetings regular. I heard a good deal of talk about it. Something was done in some club or another.

Q. Talk on the streets, wasn't it?—A. I don't recollect.

Q. Well, it was understood publicly that such action had been taken?

By Mr. VANCE:

Q. Why are those gentlemen going to leave Danville?—A. One of the reasons—when I left them on Christmas on a visit to Richmond to look after a situation, he spoke to me, talking business, what he wanted done the coming year; but when I returned and told him I had secured the situation in Richmond, he determined inside of ten days then to close out his store and go into something else. He has never told me even that he is going to leave Danville, but I have heard him speak of going into other business there.

Q. You say your employers are Northern people?—A. Yes, sir.

Q. Was that store well patronized?—A. Yes, sir; had accounts with the best people in town.

S. L. VANCE sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Powhatan County.

Q. Were you in Danville on the day of the riot, the 3d of November?—

A. No, sir.

Q. When were you in Danville prior to that?—A. I was there in August, and I left there on the 15th of September.

Q. Did you hear any cursing and threatening by any negro before you left there?—A. Yes, sir.

Q. State where it was.—A. It was just by Mr. H. A. Wiseman's drug store, between there and the Arlington Hotel.

Q. Was that during the excitement that followed the murder of that farmer by the three colored men?—A. Yes, sir.

Q. Who was the negro man?—A. I don't know.

Q. Where was he standing?—A. Between H. A. Wiseman's store and the Arlington Hotel.

Q. Who was about?—A. A good many negroes.

Q. What white persons were about?—A. I was with Mr. W. N. Ruffin at the time.

Q. What did the negro man say; what was he doing? Was it in August, September, or July?—A. I think it was in August; he said he wanted to get at some white man, he would like to kill him.

Q. Did he have a weapon?—A. Yes, sir.

Q. What was he doing with it?—A. He had it holding it up.

Q. Were any other colored persons around?—A. Yes, sir; a good many.

Q. Did they say anything?—A. No, sir; I didn't hear any of them say anything.

CHESS INGRAHAM (colored) sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville.

Q. How long have you lived there?—A. I have been living there for about ten years.

Q. What business do you follow?—A. Teamster.

Q. Who do you drive for mostly?—A. Myself.

Q. You run your own team?—A. Yes, sir.

Q. Were you in Danville on the day this riot happened?—A. No, sir; I was not in it.

Q. State what your politics have been; are you a Democrat or Republican?—A. Democrat.

Q. Democrat?—A. Yes, sir.

Q. How long have you been a Democrat?—A. Five or six years.

Q. Will you state if you had any trouble with your race on account of being a Democrat?—A. Yes, sir.

Q. What kind of trouble was it?—A. Trying to take my ticket and make me vote their ticket.

Q. Well, state what was said and done to you.—A. They said if I voted it I should not live my days out; and that pulled at me right smart, but I voted it, though.

Q. And you are still living?—A. Yes, sir; I am here, and I would not be backed out; but I voted my ticket though.

Q. Who was prominent in doing that; saying those things to you?—A. A man by the name of George Adams.

Q. Where do you vote; in Danville?—A. Out of Danville, a little ways.

Q. Where?—A. Mr. Wimbusher's precinct.

Q. George Adams is a colored man, is he; the same man who has been here and testified, as you have heard?—A. Yes, sir.

Q. Well, did any other beside him make these threats also?—A. Yes, sir; a large crowd of them got together and followed me up, and in fact I had to go to my stable after I voted; a large gang of them got around me.

Q. You had to go to your stable for protection, leaving the ground?—A. Leaving my ground.

Q. Where was the stable?—A. The stable was a little ways back from the polls. I reckon it was about, as near as I can judge, about 15 yards from the door.

Q. Well, you left there—the stable was not in Danville?—A. Yes, sir.

Q. How are you received among the colored people socially? Do they visit you—treat you just as they do the others?—A. No, sir.

Q. How is that?—A. Well, I can tell you. They pass by me, and some throws out “flouts” and one thing and another after me, making some remarks, but I move along and don’t pay any attention to it, though.

Q. Do they visit you and your family as social equals?—A. No, sir.

Q. Have nothing to do with you?—A. No, sir; sometimes one passes in, you know, of course, as a friend. Never had any bother.

Q. Do they visit you in sickness—to wait on the sick or anything of that sort?—A. No, sir.

Q. All that they have against you is your politics, as far as you know?—A. Yes, sir.

Q. Do you know anything about whether the colored people there carry arms or not?—A. Carry arms?

Q. Yes; weapons of any sort—pistols or knives?—A. Oh, yes, sir; some of them that I have seen with them. I have seen some of them with them.

Q. Do you know whether George Adams had any arms when he was worrying you?—A. Yes, he did.

Q. What did he have?—A. He had a long knife.

Q. Did he have it out?—A. No, sir; he didn’t have it out; had it in his side [indicating].

Q. You mean a pocket knife?—A. No; a bowie knife.

Q. Did you see him have any pistol?—A. No, sir; I never saw him have no pistol out.

Q. You say there was a large crowd that got after you and drove you to your stable. Did you see any of the others in the crowd have weapons?—A. No, sir; I didn’t. I was right smart frightened. Didn’t know what they might do. The judges of election came out and got them quieted down.

Q. Who was the judge of election? Mr. Stone, one of the judges, went out and threatened to arrest George, didn’t he?—A. Yes, sir.

Q. Have you ever been interrupted about your vote at any other election than the last election?—A. No, sir; I haven’t been interfered with.

Mr. LAPHAM. I did not understand him to say this was the last election. I think you are mistaken.

By Mr. VANCE:

Q. When was this time that George Adams interfered with you?—A. It was not this last election, it was the election before, if I make no mistake.

Q. It was the election before this last one?—A. Yes, sir.

Q. You were not interfered with this last time, or any threats made against you, at all?—A. No, sir; I was not interfered with the last time.

Q. Where did you vote the last time?—A. The same place; I live there.

Q. Did the colored people generally vote that day?—A. Yes, sir.

Q. A pretty full vote?—A. Yes, sir; a pretty full vote.

Q. How far is it from Danville to Wimbusher’s?—A. It is half a mile from the town seat—half a mile from the corporation limits.

By Mr. LAPHAM:

Q. When were you sick and the colored people didn’t visit you?—A. Well, I was sick very often.

Q. Name some time?—A. I have been sick since Christmas and before Christmas; I have had chills and been bad off; couldn’t even run my own team.

Q. Who did come to see you?—A. Nobody, but just my own folks living there.

Q. Who were your own folks?—A. Well, the renters that stays there in the house.

Q. How many?—A. It is a house with four rooms.

Q. Four families in it?—A. Yes, sir.

Q. They all came in to see you, didn't they?—A. Yes, sir; sometimes they did occasionally, but not often, though.

Q. Didn't anybody outside of that building come to see you?—A. No, sir; nobody at all.

Q. You were not confined to your bed?—A. Yes, sir.

Q. How long?—A. For a month—two months.

Q. When was that?—A. Well it was before Christmas and since Christmas, too.

Q. Do you mean you have been shut up two months since?—A. No, sir; not two months—together it was.

Q. Now I am asking you when it was when you were confined to your bed for a month?—A. Before Christmas.

Q. Who was your doctor?—A. I didn't have any doctor at all, any more than just went to town to get medicine, or sent to town; my boy went to town to get the medicine.

Q. You doctored yourself; that is, you selected the medicine you were going to take. You chose the medicine you took yourself, didn't you?—A. No, sir; I sent my boy down to the doctor. I generally got it from Doctor Barksdale.

Q. But no doctor came to see you?—A. No; no doctor came to see me.

Q. You were not sick enough to require that?—A. I was pretty sick; shaking chills.

Q. Yes, they are bad enough. Who were these people who lived in the same house you did?—A. Well, they were some people who came——

Q. Give their names, that is what I want.—A. Their names?

Q. Yes.—A. Well, one was Cephus Mester; the other one Delaware Whipple.

Q. They didn't all vote the Democratic ticket did they?—I don't know how they voted. No, sir, they didn't all vote it, I don't think.

Q. Still they were kind to you during your sickness?—A. No, sir; they were not kind to me.

Q. Were they unkind?—A. Yes, sir.

Q. In what respect?—A. Well, what I call waiting on the sick; visiting some; if they need anything; trying to fix up some sort of nourishment to give to a body that aint able to help themselves.

Q. What family have you?—A. None at all.

Q. You have no family?—A. No, sir; a boy with me—no wife or children.

Q. How old a boy?—A. Well, the boy, I reckon, is about fifteen or twenty.

Q. Is he related to you?—A. No, sir; not at all.

Q. How is he living with you; did you adopt him?—A. He came there, and I took him to live with me. He drives, and so on.

Q. And he did your errands, and waited on you while you were sick, didn't he?—A. Yes, sir; a part of the time; and sometimes helped in hauling a little, to help me along.

Q. He sometimes drove your team for you?—A. Yes, sir; helped me out.

AARON POINTER (colored) sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Danville.

Q. How long have you lived there?—A. I have been there near about five years.

Q. What is your business?—A. Well, I have been in business; sometimes drives, works in the factory; do almost anything; no particular trade.

Q. Where were you on the day of the riot?—A. Well, sir, I was right there, within about two steps of it.

Q. Describe what you saw, just tell it in your own way?—A. Well, sir, I saw Hense Lawson and a white man—I didn't know the white man—they met together, and what words they said, I don't know, and they hit one another, and the white man got a little advantage of him, but that time this George Adams was cross the street, toward the market, and he runs over there and jumps on the white man. He jumps on the white man who had a pistol with him; tried to get his pistol away from him and his pistol went off right under him. He was on all fours, and the pistol went off, right under him, and that time some one ran up and jumped on George Adams, and hit him on the head; on the nose, and the blood rushed out.

Q. With a stick?—A. No, sir; with his hand I reckon. I didn't see any stick. About that time they got them sort of apart, and this colored man walked off. And one white man, too, and Hense Lawson went to the wall and put his hand up against the wall, just so [indicating], and I went to him, and said "Hense, did they hurt you bad," and he said "no." I was very well acquainted with him. I was raised with his father, and so then I found before Hense had got into the difficulty he was drunk.

Q. That he was drunk?—A. Yes, sir; he was drinking, and I thought they both were drinking; but I know Hense was, because I had took a dram with him; he had been drinking ever since he had been out of business; Hense Lawson didn't do anything and hadn't for several weeks; just standing about on the streets drinking whisky. A white man, I think it was Mr. Hatcher—I won't say positive Mr. Hatcher—went to him and said where is Hense Lawson, and I expected he was going to hit Hense, and I got back a little ways; I didn't want to get myself into difficulty. He goes and puts his hands on Hense and says, "You go off, Hense, and wash"; that is, Mr. Hatcher.

Q. Told him to go off and wash himself?—A. Yes, sir. This George Adams runs back across the street towards the market where there was a great crowd, some 200, I reckon, got up, colored people—there was any quantity from the country, colored people on the market; the streets was pretty well crowded, and a little bunch of white men was standing near the wall, I reckon about 25 or 30, and this George Adams says, "Let's go and get him and kill him" to the other crowd. He went across the street then toward the market and got the crowd and attempted to get him.

Q. Get who?—A. Get him and kill him.

Q. Get who?—A. This man who hit Hense; I don't know the gentleman's name—and he says I can't find him, and so this other fellow; I will call his name for you—Glass—while Mr. Jeff. Corbin was going up and down the sidewalk telling them all just so; had his hand in his bosom, just shaking his fingers at them, and says, "Boys, don't you all crowd in here and raise great disorders for just a half-drunken man."

Mr. Jeff. Corbin didn't know me. He says, "Gentlemen, now all go away; no use of this; go off, now, go off; will you go off?" That time this George Adams went across again—across the market—and he came that last time with nearly one hundred; and in the first time, as he came, as many or more following him on, he says, "Yonder he is; I will show him to you." This other fellow, Glass, pulled his pistol out and said, "I intend to kill him with this," and I saw as many as some seven or eight pistols and several sticks and knives, and they would have killed him, too, but there was a little big-headed white man—I don't know who he was, but he was standing in the door with a gun. He was a mighty small man, mighty big head, and I says to myself "I will get out in the street," and there was a signboard setting down there, and I concluded to myself that I would get under that signboard; but I didn't do it. I said to myself, says I—let's see; there was a man who lived in North Danville, there, and says I to him, "Let's get away from here"; and just about the time we got half way across the street this vast crowd that George Adams brought had nearly got across—mighty nigh got on the sidewalk—and then they commenced shooting—I don't know whether it was white or black—and I commenced running. I run down on the market and run into a little house where they kept things to sell, and just fell in there on a pile of turnips, and just laid there on that pile of turnips until the shooting was over, and I then slipped off towards the court-house, and I goes out to Captain Vass and I says to Captain Vass, "I don't know what in the world to do;" and he says, "You go on back down there; don't you let those boys see you." He says: "These young fellows has turned up the very devil;" that is, Captain Vass. I was in his house. By that time the white people were going up the street with guns. It seems some on the other side of the street there were several colored people coming times two, and sometimes going forty, fifty, a hundred yards apart. Then, down; it seemed like they had been out of town and was coming in, but there was no more firing at all after that. But just as sure as I am a man and you a man, if that shooting hadn't commenced, they would have killed every man. They was going to kill him, no doubt, about it, and the reason of it was they was not naturally the citizens of Danville that was so anxious to get to that house. It was a large crowd of people from the country, and they went in with the people of Danville. They went in with us; they thought if we said anything it was so, and they went in with us, and we all just banded up and undertook to get him and kill him, and I thought they did kill him until the next day. I don't know what became of him. I have never seen him since.

Q. You say that after this first fight and the firing of that pistol George Adams went over to the market corner and proposed to a number of people there to go over and get that man that beat Hense and kill him?—A. Yes, sir. He went twice, I say. The first time they pulled him off this white man, and when they got him off he ran across and got a crowd; I reckon seventy or one hundred; somewhere along there; I can't say exactly how many, and there was a little bunch of white men—not many—with this other fellow that was attacking Hense Lawson. He got in among them some how or another. I don't know what became of him, but I think he went in the house. When he came back the last time he brought more than he did the first time.

Q. Well, Glass was in the crowd this last time, wasn't he?—A. Glass was in the crowd the first time, and then Glass was the only one that had any arms the first time.

Q. Is Glass the man now that was here and testified; did you hear

that he had come on here?—A. No, sir; I don't know whether he has been here or not.

Q. What is his first name?—A. George, I think; I am not very well acquainted with him, but it was George Glass; he lives right down below the post office.

Q. At any rate he had a pistol and said he was going to kill him with that?—A. Yes, sir.

Q. And they came up and looked for this man that had been beating Hense?—A. Yes, sir.

Q. And then he stood there, he and that other crowd, while this George Adams went back to the market to get another crowd and then they got so close on Mr. Jeff. Corbin; you don't know what became of him?—A. He got out of the way then, and that crowd that came across—five or six pistols among them and some sticks and knives.

Q. You say that Glass had his pistol presented, and would have shot the man that they said had been beating Hense?—A. But for this big-headed fellow in the door with a shotgun; he was standing in the door with a gun; I don't know whether it was a shotgun or not; he was standing in the door with a gun, just so [indicating].

Q. And he pointed the gun towards Glass, did he?—A. He pointed; he didn't point at any one particular; he didn't seem to have position on no one in particular; he was standing beside of me, and I thought he was in position to keep people from going in that door, but Glass shoved the pistol into Mr. Corbin's face and said, "I mean to kill him with this," and that was the only pistol I saw in this first crowd that this George Adams brought, but in the next crowd was some five or six pistols, sticks, and knives, and the most were country people.

Q. Mostly country people, and not true citizens of Danville?—A. Yes, sir; on the same day, just a few minutes before that.

Q. Where does George Adams live, in the town, or in the country?—No, sir; he lives in the country.

Q. He lives out in the country, too?—A. Yes, sir.

Q. Which post-office was it that Glass lived behind, the old or new post office?—A. He lived behind the old post-office.

Q. You are not sure what his first name is, but you say he lived behind the old post-office?—A. Yes, sir. I sold milk; I very often saw him there at dinner and I suppose that was his home.

Q. You say you think they would have killed that man that had been beating Hense if the white people had not fired?—A. Yes; they would have killed him.

Q. You are not mistaken about that?—A. No, sir.

Q. Were they very angry?—A. Just as angry as they could be. Why, they were so angry they were like distracted folks. Not only then, but they had been more like distracted folks nearly all day, because I was attacked twice before that myself.

Q. You say Hense Lawson had not been doing anything for several weeks but lounging about the street and drinking whisky?—A. Yes, sir; hadn't been doing anything. He had been keeping bar for Mr. Nicholas—I think his name is—but any way he was keeping bar for a gentleman there and in mighty good service, but somehow or another had got out and hadn't done anything worth speaking of since. He didn't do anything but loaf on the street and drink whisky. He had plenty of money, and I don't reckon I ever saw him sober since.

Q. You saw him every day?—A. I saw him every day most, and drank with him, too.

Q. Had you had any trouble with colored men that day yourself?—

A. Yes, sir; I was attacked by 'Squire Taliaferro about 11 or 12 o'clock.

Q. Squire Taliaferro?—A. Yes, sir.

Q. What did he attack you for?—A. Because I voted a Democratic ticket; but that was not the first time. He has attacked me some three or four times since I have been in Danville. He put my name down—he is a sort of a reader among them—and took out his book and put my name down.

Q. What did he put your name down for?—A. He wanted to mark me, so I wouldn't be appreciated among the colored people and should not be noticed. At the other election he said he intended to get a parcel of young fellows and take a rope and tie it to a horse and put a running noose, hook around and catch me some night going up street, and the threat was so violent this election I got into right smart trouble, and I goes to Wesley Jones, the colored magistrate there in Danville—I reckon it was about four or five days before the riot. Says I, "Jones, I am pestered to live here; I have never troubled anybody." And I says, "I didn't see any peace. Every which way I go I am attacked by people who want me to swear what way I vote." I says, "I ain't going to do that; I am too good a man to do any such a thing as that. I ain't going to swear at all." Jones says, "You do this." On the day of the election I went up into his office; he was a magistrate there. "I want you to give me the very best advice you can," I says. "I can't read; I don't know a letter in the book; I want you to give me the very best advice you can; will you do it?" The day of the election he says, "Don't you ask anybody any odds, white or black; you go up and get your ticket and vote any way you want to, and any white man who attacks you and says anything about it, you come to me and report, and any black man that does it, you do the same." I says, "Jones, I am already attacked." Says he, "Why," he says, "you ought to report it," just so, and I had made up my mind not to vote, and my cause was fear. I had been waylaid some two or three times while I was in Halifax, and then after I come to Danville this last four years going on five, the colored has twice since this riot. Now, this fellow Hatchet attacked me, it is not very long ago; and next day after the election I was attacked by this here George Wilson.

Q. A colored man?—A. Yes, sir; a great, big, strapping colored man; and he attacked me at my own cousin's house, who was not at home, and there was such a disturbance and alarm about the town; there was some white gentlemen going along the street, and they came to see what was the trouble, and they halted, and at that time they come to me and they said they were going to have them reported—going to have him reported for attacking me, but, some how or other, he didn't do it.

Q. Was that man Hatchet named Rufus?—A. No, sir; Arthur Hatchet.

Q. A colored man?—A. A colored man; works there for Mr. Holland.

Q. Well, Squire Taliaferro put you in his black book?—A. Yes, sir; Squire Taliaferro did. He was the only man that I was particularly afeard of in town. What made me so afeard of him it appeared he was a sort of an officer, something or other there, and I didn't know what trouble he might put me to, and I surrendered to him.

Q. You surrendered to him?—A. Yes, sir.

Q. He said you should not be noticed?—A. He said I should not be noticed, and no such man as me ought to be noticed, and his advice was going generally through the place to tell them.

Q. He was at that time a policeman, wasn't he?—A. Yes, sir.

Q. Well, he is a prominent man among the colored people as a politician, isn't he?—A. Oh, he is the head rank.

Q. He is the head rank of the whole concern?—A. Yes, sir.

Q. Were his threats carried out; did the people cease to visit you and have social intercourse with you?—A. I don't understand what you mean.

Q. Did any of the colored people cease to notice you or have anything to do with you?—A. No, sir; not as to visiting. Some of them says, "how-dy." They have a man among them to persuade them not to notice such people, but I don't ask any odds. I work for what I get. I don't look on it and I don't charge it to property; I charge it to ignorance.

Q. Did any number of them refuse to speak to you?—A. Yes, sir; refused to speak; yes, sir.

Q. Do they invite you to their homes?—A. No, sir.

Q. Would not let you go to see them?—A. No, sir.

Q. And would not come to see you?—A. No, sir.

Q. Have nothing to do with you?—A. Have nothing to do with me.

Q. Do you belong to any church there?—A. Yes, sir; belong to Mount Zion church; not in Danville, five miles below Danville. My pastor lives in Danville—Mr. Coleman.

Q. Do they ever trouble you in the church?—A. Oh, no, sir; don't pester me in the church.

Q. That church is out of Danville five miles?—A. Yes, sir; it is six miles. We get off at Ringgold, five miles, and walk down about a mile.

Q. Why didn't you belong to a church in town?—A. You see I was a member of that church before I got to Danville.

Q. Did you hear anything about the resolution among the colored women that they would not let their husbands remain with them?—A. Oh, well——

Q. Now, give us that.—A. Now, Squire Taliaferro went about, and several others, but the squire was preferable, says that no woman that had a man or husband and he voted any other ticket—would vote a Democratic ticket—that he would advise them to leave. That question was held up in church. It was spoken in the church, also in Danville, among people several times, and more particularly and generally Squire Taliaferro's advice among them. You see that he don't work any; just goes around there.

Q. He lives off the community; don't work any himself?—A. He don't work any, but he goes dressed up and he goes right around and can influence them women so, even our own wives. If he gets among our families he gets them to believe him, because he can read some and has papers stuck up in his pocket and everything. They believe in him.

Q. They believe in him because he goes around with papers stuck in his pockets and reads?—A. Yes, sir; dressed up, you know.

Q. Store clothes. You say that was his advice?—A. Yes, sir; that was his advice.

Q. And they had the question up in church?—A. Yes, sir.

Q. What conclusion did they come to in the church?—A. I don't know what, but the majority of the church—he spoke of it in the church as such.

Q. Did any other brother try to get your wife to leave you?—A. Yes, sir; why, I just married not long ago.

Mr. LAPHAM. The honeymoon is not over yet?

The WITNESS. I just married not long ago, and I was obliged to marry, too.

By Mr. VANCE:

Q. Why so?—A. Because the woman I have had was going to quit me, and I thought I would quit her first, and then married one.

Q. The first one was going to quit you, under Squire Taliaferro's advice?—A. Yes, sir.

Q. And you quit her first and married this other one?—A. I went and married. I was staying right about there.

Q. Married one by law?—A. Married one now, according to law.

Q. Did the squire, or any of his disciples, follow up and try to get this one to leave you?—A. I didn't never give him a chance; I reckon he is satisfied about me now. We liked to have got into a mob there the day of this riot. The day before the riot me and him liked to got into a hobble.

Q. Have you told us about that?

Mr. LAPHAM. Oh, yes; he has described all that.

By Mr. VANCE:

Q. Is that the time he took out the book and wanted to put your name down?—A. Yes, sir; that's the time.

Q. You think he has sort of given you up as a hard case?—A. Yes, sir; I think he has; I hope he has.

Q. How did Squire Taliaferro behave when the fighting commenced; did he stand up pretty bravely?—A. He stood up mighty well until the guns and pistols commenced firing, and then I don't think he stood at all. Some of them told me he left town, but I found out he didn't go any further than the fair ground, and I got some answers from him, I know, on Sunday some advices; me and some other men got it from him; made us go around to persuade all colored, to send word as far as we could send it, for no colored not to vote on the day of election, and make reply to the governor that the cause they would not vote was because they were "afeared" to vote, and then they would get two votes for one, and I helped advise them, too.

Q. You helped to advise them not to vote?—A. Yes, sir; after I heard the expressions going around. Some of them asked me if it was so; I said I expected it was. I believed it, too. If they was "afeared" to, and could prove that they was "afeared" to, they would get votes.

Q. And he sent that word in from his hiding place?—A. Yes, sir; from the fair-ground.

Q. He swore here he was hid for about thirty-six hours.—A. Well, he got answers out by others, but he never come out of his hole.

Q. He never came out of his hole?—A. No, sir.

Q. And you helped to circulate the word all around for the colored people not to vote?—A. Yes, sir; I helped to circulate the word, and I would not have voted, no way at all, but next day I met a heap of them—white, old men, policemen and all—carrying papers which said, don't no one be "afeared" to vote; that the very best citizens in Danville had promised to protect every one, and give everybody a fair chance.

Q. Then you went and voted?—A. Then I went and voted, and no one ever said a word no way, either white or colored. No one ever said a word agin me about it, unless that day this Arthur Hatchet, who attacked me about it. He cussed at me and said, "Damned old Conservative nigger."

Q. When did Squire Taliaferro get out of his hole?—A. I never saw him until about eight or nine or ten days, maybe two weeks. He was gone so long I was inquiring, and some of them said he was not in town. The question got up among them directly after that evening that they wanted to catch Captain Graves and mob him.

Q. When?—A. That was on Saturday night, and the question got up that evening; they got mad with him before, you know; Captain Graves was the politest man—I reckon he is the politest to white and colored in town, and was as much thought of, but after that speech was made there by—I cannot think of the gentleman's name——

Q. Sims?—A. Yes, sir; I think that is his name. After that speech was made he said something about Graves or some others that signed a paper, and that got the colored people all against Captain Graves right there.

Q. They had been his friends before that?—A. Oh, sir, there ain't a man in Danville, white or black, or baby, or nothing, that ever thought anything wrong of Captain Graves in this world; but since that, there is a prejudice got against him among the colored people, and they undertook that night to get him and kill him, on Saturday night, but they didn't; they missed him, and they got his horse.

Q. Where did they get his horse?—A. Near about Dry Bridge.

Q. Did he have to go out of town to go home?—A. Yes, sir.

Q. Where did they make up the plot to get him?—A. The question was right before the riot was that day; said he ought to be killed; but then after the riot the question was that night and evening that Captain Graves was at the head of it; that is what the darkies said, and the attempt was that night to get him and kill him.

Q. Where was that attempt to be executed; where did they think they would do it?—A. I don't know whether it was at his house, or where; where they made that attempt at was up above his house—up there at the Dry Bridge.

Q. What did they with his horse?—A. Shot him.

Q. Where was his horse?—A. He was going up the street.

Q. Was anybody on him?—A. Yes, sir; somebody was on the horse.

Q. Who was on the horse?—A. I don't know the gentleman's name; it was not Captain Graves.

Q. It was not Captain Graves that was on the horse at the time that he was shot?—A. No, sir.

Q. Did they shoot the horse thinking Captain Graves was on him?—A. Yes, sir. You see I was with them in the evening and early in the night, but when they shot the horse I was not there.

Mr. LAPHAM. Then I object to this.

The WITNESS. But the question was among us that evening that Captain Graves was to be killed.

By Mr. VANCE:

Q. You need not say anything more about the shooting of the horse; but you say that you were present that evening when they were talking about killing him?—A. Yes, sir; I was present. It was held up that evening; it was held up that day; but it was held up that evening among the negroes. They said that Captain Graves was at the head of the whole of it, just as I tell you.

Q. Do you recollect the name of the man who was said to have been leading the horse when he was shot?—A. No, sir; I could not tell.

Q. Let me suggest to you if it was Mr. Hubbard?—A. Well, of course I couldn't swear to it.

Q. Well, that is right if you cannot remember it; don't swear to anything you cannot remember. Was the horse that was shot well known to be Mr. Graves's horse; one that he rode all the time?—A. Oh, I drove him myself.

Mr. LAPHAM. He don't know anything about the horse being shot, and there is no evidence here that the horse was shot.

Mr. VANCE. Oh, yes; there is.

Mr. LAPHAM. Not by this witness.

By Mr. VANCE:

Q. Did you ever see Captain Graves's horse that he usually rode?—A. Yes, sir; I worked for him, driv the carriage myself; driv the carriage some four or five months.

Q. Was that horse well known to everybody who knew Captain Graves?—A. Yes, sir; everybody in town knew him.

Q. Was that the horse that was afterwards shot at Dry Bridge?—A. Yes, sir; that seed the horse.

Q. Did you see him after he was shot?—A. I saw him afterwards.

Q. And that was the same horse?—A. The same horse. I seed the horse and I seed the wound.

Q. You say it was talked about in the morning before the riot that he ought to be killed?—A. Yes, sir.

Q. And that night after the riot they accused him of being the chief cause of the whole riot, and they determined to kill him?—A. Yes, sir.

By Mr. LAPHAM:

Q. Was not Adams looking after the man whom he said had shot at him?—A. Shot at Adams?

Q. Yes.—A. Didn't nobody shoot at Adams.

Q. Well, you don't know anything about that. I asked you if Adams was not inquiring for the man who he claimed had shot at him. There was a pistol fired before Adams went across the street, was there not?—A. No, sir.

Q. There was not?—A. I don't remember any. When the pistol went off Adams and the man was——

Q. I say before he went back across the street there was a pistol fired in the struggle that Adams had with some one. Who was it that Adams tried to get the pistol from?—A. That was the man that was in the difficulty with Hense Lawson.

Q. You say that was the man that Adams tried to take the pistol from?—A. Yes, sir; that is the man.

Q. Did he have a pistol drawn?—A. Adams was trying to take the pistol from him, and I am confident he had a pistol in his hand, and that pistol went off.

Q. That is the man Adams was trying to find, was it not?—A. Yes, sir.

Q. Then it was the same man that he was trying to take the pistol from?—A. The one that had the difficulty with Hense Lawson.

Q. You say that is the man, but I am not asking that; I am asking if Adams was not trying to find the same man that he tried to take the pistol away from?—A. He was trying to find the man that hit Hense Lawson.

Q. Did he say so?—A. He did.

Q. He said he wanted to see the man that hit Hense Lawson?—A. Yes, sir.

Q. You are sure of that, now?—A. I am going to tell you his words; I was there; I am going to tell you his words; he said, the reply was,

"Who was the one that hit Hense Lawson?" Adams says, "Yonder he is; yonder he is; the one that hit Hense;" and this Glass spoke and says, "Show him to me; show him to me;" and he went to go around, sort of around Mr. Corbin and some others to show him, and that time Mr. Jeff Corbin was coming along and telling them boys, "Don't have all this fuss here over two or three fellows getting drunk, which has created all this." There was not but one pistol fired then; that was when these two men closed.

Q. Now, then, will you answer my question. Was Adams trying to get the pistol of the man whose pistol went off?—A. From his attempt, I should think he was.

Q. That is the man that he was after?—A. That is the man that he was pursuing.

Q. You thought all the time it was the one that had the fight with Lawson?—A. Yes, sir; that is the one he was after.

Q. That is the way you understand it?—A. That is the way I understand it.

Q. Did you say that Lawson was intoxicated at that time?—A. Yes, sir; and had been, generally.

Q. How much so, so that he could not regulate himself; was not in a condition to fight, was he?—A. Oh, no; I don't know; I could not consider him a whole man.

Q. Exactly; in the condition he was in, he could not stand up and have a fair fight with anybody, could he?—A. A man that didn't know might think he could.

Q. No, no; I am asking about Lawson; I am not asking about a man that did not know him.—A. He was not able to fight a fair fight; was not able to fight because he was drunk.

Q. That anybody could see who saw him; anybody could see that, could they not?—A. Yes, sir; he is generally so.

Q. Well, that time; I am asking about that time.—A. Yes, sir; he is generally; he is generally drunk; I can tell it myself.

Q. How soon after that was it that this general firing began?—A. Well, I don't know the moment; I reckon, as nigh as I could recollect, I reckon——

Q. Where were you standing when the firing began?—A. I was standing right at the corner of a little house, I reckon.

Q. Well, among the colored people, or over on the sidewalk where the white people were?—A. When the firing began?

Q. Yes; not that one pistol, but the other firing.—A. Oh, when the other began I was about half-way across the street, me and one other man called Mr. Thomas.

Q. Did the colored people all run as soon as the firing commenced?—A. Well, I was the first; me and Thomas was the first to run.

Q. Didn't the rest of the colored people run, too?—A. Some run and some didn't.

Q. Where did you run to?—A. I run into a little house there on the market.

Q. Now, do you mean to say you don't know who fired first?—A. Yes, sir; I don't know who fired the first fire.

Q. What?—A. I don't know; no, sir; I don't.

Q. Did you see any white people with pistols?—A. I saw a white man with a gun.

Q. I am not asking that now.—A. Well, I didn't see nary a white man with a pistol in his hand.

Q. Well, as soon as the firing began you ran out of the way?—A. I could not tell you who began, because I ran myself.

Q. I am asking you whether you ran away as soon as the firing commenced?—A. When the firing commenced I did; I ran away as soon as the firing commenced. Then I was a running.

Q. Can you tell me how many shots were fired?—A. It went so regularly for a minute I couldn't tell; I reckon it was about 60 or 70.

Q. What did it sound like, as though they were firing quick?—A. It sounded like pistols and guns, going regularly, you know.

Q. Some witnesses here have described it like fire-crackers?—A. Yes, sir; pop! pop! They didn't go boo-he! boo-he! like a gun.

Q. Not all at once?—A. No; pop! pop! pop! just so.

Q. And you got out of the way as soon as you could?—A. I was going to tell you how I got out of the way.

Q. You did get out of the way as soon as you could; just answer me that?—A. Yes, sir; I got out of the way as soon as I could.

A. WIMBISH sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I live just outside of Danville, in Pittsylvania County.

Q. What is your occupation?—A. I am a brokerage commission merchant in Danville.

Q. In Danville, but live outside?—A. Yes, sir.

Q. The precinct where you live and vote is a large colored precinct, is it not?—A. Yes, sir.

Q. Have you observed the conduct of the colored people toward any of their number who differed from them, who wanted to vote the Democratic ticket?—A. Yes, sir; I have observed their determination to have nothing to do with them; inclined to be unfriendly towards them.

Q. Is that their general disposition towards any colored man who votes the Democratic ticket?—A. Not the general disposition, but a few of the leaders.

Q. Well, state what they had said, what course they generally pursue.

Mr. LAPHAM. You are asking him now to state what is within his own knowledge, of course?

Mr. VANCE. Of course, of course.

Mr. LAPHAM. Not what he has heard.

The WITNESS. I have never been present at any difficulty.

By Mr. VANCE:

Q. Well, if any colored man told you.—A. Yes, sir; there is a man by the name of Albert Flippin, a negro man who had a Democratic ticket in his hand, and on account of the threats that were made at him by George Adams and several negroes following him—George Adams was the speaker—he left there with the ticket and didn't vote.

Q. When was that?—A. That was at the Congressional election before the last. He had a ticket for George Cabell, so he said.

Q. But in consequence of threats, &c., by George Adams—A. In consequence of threats by George Adams and several other negroes—

Mr. LAPHAM. That was four years ago. Do you care to go back as far as that?

Mr. VANCE. Well, I reckon you can bring that out on cross-examination.

Mr. LAPHAM. Well, he said it.

Mr. VANCE. Well, suppose he did say it; you have a right to cross-examine.

Mr. LAPHAM. I simply inquired whether you wanted to go back that far. I made the suggestion in kindness; the thing occurred four years ago.

By Mr. VANCE:

Q. Well, when was it; how many years ago was it?—A. When was Cabell's last election?

Mr. VANCE. In 1882.

A. Well, this was in 1880, the election before the last.

Q. Four years next election time?—A. Four years next election.

Q. Do you know of any other case now more recent?—A. No, sir; I don't know of any other case. I know that that man Adams has had several difficulties with that old man Flippin since then; so it has been reported to me by Flippin.

Mr. LAPHAM. But that I object to.

The WITNESS. He had a difficulty with the old negro man Flippin, and he left the polls without voting.

By Mr. VANCE:

Q. Did Flippin report it to you?—A. Flippin reported it to me.

Q. Was that since that time?—A. That was within the last six weeks.

Q. I mean the time at which he said he was interrupted; was that since 1880?—A. I say this was within the last six weeks.

Q. You don't understand the question. He told you about it within the last six weeks.—A. I say it occurred within the last six weeks.

Q. Oh, the difficulty occurred within the last six weeks?—A. Yes, sir.

Q. What did he say Adams did to him?—A. He said that Adams was cutting wood on his place, and he heard somebody out there cutting wood, and he went to him and asked him to quit it; that that place was rented to him and belonged to Dr. Doan, our Episcopal minister, and Adams drew his pistol and told him damned if he did not go away he would kill him, and wanted to kill him anyway.

Mr. LAPHAM. I suggest that is not competent.

Mr. VANCE. Why not?

Mr. LAPHAM. It is a personal controversy about the occupant of the place.

Mr. VANCE. Well, it is competent to prove he carried a pistol at all events.

Mr. LAPHAM. Well, hardly.

By Mr. VANCE:

Q. That was no difficulty about politics, was it?—A. That was no difficulty about politics.

Mr. LAPHAM. I ask to have that stricken out.

Mr. VANCE. I object to that, because it shows he carried a pistol.

Mr. LAPHAM. Well, then I want the record to show it.

Mr. VANCE. It shows he carried a pistol, and that is one part of the issue here.

Mr. LAPHAM. Why, it is hearsay, anyway; he didn't see it.

Mr. VANCE. Of course, it is, judge, but you will certainly remember that twenty witnesses have stated here that colored people have said the reason they did not vote was so and so, and because they were afraid.

Mr. LAPHAM. I do not remember. We have called witnesses who have

said they themselves did not vote because they were afraid; but that relates to an election, and this relates to entirely another matter.

Mr. VANCE. You have given in the declarations of unknown persons.

Mr. LAPHAM. Well, no matter; we confine ourselves now to this question. I asked to have it stricken out, and you object; and, of course, it remains. I will take my exception and appeal to the Senate.

Mr. VANCE. Very well.

Q. Did you say that Adams said he wanted to kill him anyway?—A. So Flippin said.

Q. What for; did he go on to say what for?—A. He didn't say what. Flippin said he was afraid of him and left; he was riding a horse, and he rode off and left him.

Q. Did you see the row between George Adams and Chess Ingram on the day of the election?—A. No, sir.

Q. That was at the precinct where you live, was it not?—A. That was at the precinct, but I was not there; that is, I was not a judge of the election that day, but I was there pretty soon afterwards.

Q. Are you acquainted with the general character of that colored man, George Adams?—A. Yes, sir.

Q. What is it for peace and good conduct?—A. Well, sir, his style is to have a row with every negro he can get afraid of him, and he has run off two or three. I have never seen him in those rows.

Q. But that is his general character?—A. He has lived the last ten or twelve years within a mile and a half of where I live, or two miles at any rate. I know him as a fussy man.

Q. Do you know anything about the custom of the colored people there to carry arms?—A. Yes, sir; I see them very frequently with pistols.

Q. Many of them?—A. Yes, sir; a great many of them. I have got rid of a dozen negroes that I employed on my place for carrying arms.

Q. Dismissed them for carrying arms?—A. Dismissed them for carrying arms.

Q. Were you present at the last election?—A. Yes, sir.

Q. How was it conducted?—A. Well, it was conducted very peaceably. I was one of the judges of the last election.

Q. No trouble or disturbance?—A. No trouble, sir. Mr. Stone and a negro man were the judges. The election went off quietly, and the whole vote was cast. There were three hundred negroes and about seventy-five white men.

Q. How far is it from town?—A. The poll is about half a mile from the corporation. I live about half way between the polls.

Q. How far is it, if you know, from Danville to the precinct on the other side called New Design?—A. It is about four miles.

By Mr. LAPHAM:

Q. Were there any Danville people at your polls on election day?—A. Yes, sir.

Q. How many?—A. Well, I cannot tell you how many there were early in the morning.

Q. About how many?—A. Early in the morning there were none.

Q. Now, I am not asking that; I am asking about how many?—A. I suppose during the day there were possibly one hundred Danville people there.

Q. At your polls?—A. I suppose there was.

Q. White people or colored?—A. There were eight or ten white people and sixty or eighty colored. At times there were a dozen people

from Danville there, and they would go and others would come, but no one staid very long.

Q. Do you know what the custom of the white people is as to carrying arms?—A. I have not known what it is generally; I have known them to carry arms.

Q. Do you carry them?—A. I have carried them.

Q. Didn't you have them that day?—A. I did not.

Q. When did you carry them?—A. I carried arms some last fall.

Q. At what time?—A. Before that riot occurred.

Q. How long before?—A. For a few weeks, probably.

Q. Where did you get your arms?—A. I got them at my house. I have always had a pistol.

Q. You keep them at your house?—A. I keep a pistol.

Q. What kind?—A. Well, I have an old navy shooter that I got in the army, and I have another.

Q. You have two, then?—A. Yes, sir; they are laying in my desk now.

Q. Did you carry it loaded?—A. I did, last fall.

Q. Are you sure you did not have it with you election day?—A. Yes, sir; I am sure I did not have it, and I asked the other judges not to.

Q. No; I don't ask that now; I don't want that. What is Adams's business?—A. Adams is a wagoner; he hauls wood generally, and sometimes when he has no wood to haul he gets a job to haul brick or sand or something about Danville.

Q. Does he have a team of his own?—A. Yes, sir.

Q. Supports himself that way? Is he not an industrious man?—A. Well, he is not a lazy man.

Q. I did not ask you that. I asked you if he was not an industrious man.

Mr. VANCE. Well, I think that is a fair answer. Witness, you are entitled to answer these questions in your own language.

Mr. LAPHAM. No; he will not do any such a thing.

Mr. VANCE. Well, I will try that before the Senate if the witness has got the courage to stand up.

Mr. LAPHAM. Well, I am willing to go to the Senate.

Mr. VANCE. I say he has got a right to put his answer in his own words as he pleases.

Mr. LAPHAM. I deny that.

Mr. VANCE. The witness is responsible if he commits perjury and you are not, and therefore he must have the liberty to choose his language.

Mr. LAPHAM. Well, I differ with you; but we have got now all he knows about it, so these words are idle.

By Mr. VANCE:

Q. Now, you were asked if you were armed on the day of election, and you said something to the judges; what was that?—A. I say I asked them not to come armed, and I do not believe they did.

Mr. LAPHAM. That I object to.

The WITNESS. I saw one boy come up the road with a gun, and he came around the polls where they were voting and I took that gun away from him and he went off; that is the only thing in the shape of arms I saw that day.

By Mr. LAPHAM:

Q. You are a Democrat?—A. No, sir.

Q. What ticket did you vote?—A. Well, I have to vote that ticket where I am; my inclination is not Democratic.

Q. You are not a Democrat, but you have to vote that ticket where you are?

Mr. VANCE. No, we will not let it stand that way at all.

Mr. LAPHAM. Well, that is the way he says.

By Mr. VANCE:

Q. What are your politics, and why did you vote the Democratic ticket?—A. I am an Old Line Whig, and have never become a Democrat in my feelings, but we are generally led there by a low class of people on the other side, and I take the Democratic because I think it is the best ticket we have.

Q. You take the Democratic ticket because you think it is the best you have?—A. Yes, sir.

Mr. LAPHAM. Well, you put words in his mouth; he did not say that.

Mr. VANCE. Well, he adopted them, and you wanted to create the impression that he was forced to vote the Democratic ticket.

Mr. LAPHAM. The very reverse; he said he did vote it.

Mr. VANCE. You wanted to create the impression that he was forced by some violence, or improper influence.

Mr. LAPHAM. I did not want to produce any impression; I took his language.

B. F. WALKER sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville, Va.

Q. How long have you lived there?—A. I have lived there a few days over fourteen months.

Q. Where did you come from when you came there?—A. I came from Texas. Kentucky is my native State.

Q. What did you do there?—A. I worked in the livery stable for W. W. New.

Q. Were you a soldier in the late war?—A. Yes, sir.

Q. Which side?—A. I was in the Federal Army.

Q. What arm of the service, infantry or cavalry?—A. Cavalry.

Q. How long did you serve?—A. I served from the 23d of September, 1861, until the 15th of July, 1865.

Q. You were in the whole war, then?—A. Yes, sir.

Q. What are your politics?—A. Republican.

Q. Were you on the streets of Danville on the day of the riot?—A. Yes, sir.

Q. Did you see a dead man near Wiseman's drug store, on the corner of Main and Union streets?—A. Yes, sir; I saw two of them.

Q. Saw two there?—A. Yes, sir.

Q. Did you see them soon after they fell?—A. Yes, sir.

Q. Did you see any weapon on them?—A. Yes, sir.

Q. What was it?—A. I did not see it on them, but I saw some gentlemen going to bear them away—a yellow, fair fellow—I don't know neither of their names, but when they picked him up to carry him away a pistol fell out of his pocket; it looked to me to be a 36 caliber Smith & Wesson.

Q. What became of that pistol?—A. I am not very much acquainted, and when I am in Danville I stay right at the stable and don't stay out on the street, and there is a good many that I know and don't know their names, but three or four gentlemen just picked them up, and when they picked him up a revolver fell out of his pocket.

Q. Was it a colored man or a white man that picked it up?—A. A white man.

Q. You don't know who it was?—A. No, sir.

Q. That was one; did you see any upon any other?—A. No, sir; I did not.

Q. What was the state of the public mind about the time of the riot?—A. Oh, it was terrible.

Q. The excitement was very great there, I mean before the riot?—A. Before Mr. Sims made his speech there things seemed to be going on all right, but the night that Mr. Sims made that speech there he just fired the negroes up; and I went over there; they told me Mr. Sims was going to make a speech at the court-house door, but after the crowd gathered I went over and they seemed to be all darkies, and I stood behind the darkies, and Mr. Sims was perhaps half through with his speech, and then some white men gathered up on the pavement on the other side of the street, and the darkies commenced looking back over my back, and one of them says, "There comes a lot of them sons of bitches of white men here," and says, "I wish they would do something; we would like to clean them out." "Why," says he, "we have got the best time we ever had; we have everything our own way." As many as a dozen of them kept walking, talking about this, and after they got through with that Mr. Sims went on with his speech ridiculing most of the good citizens of Danville. I thought there was to be a fuss and moved back. I thought I was just as liable to get shot as the negroes, and I got back out of there; got back where the white gentlemen were.

Q. They said they wished they would do something?—A. Said they wished they would do something; they would like to clean them out.

Q. Where were you Saturday?—A. I was in the opera house.

Q. What did you see or hear of the riot?—A. They said there was a fight going on down street, but I did not pay any attention to it; supposed it was a fist fight; I went to the window and heard Mr. Wilson say "It is the biggest riot ever was in the town," and I looked right out of the window and over to the other side, on the left-hand side of Main street as you go up; right beyond the market were 300, as many as that, darkies, and there were eight or ten had revolvers flourishing them, and said, "Come on, this is just as good a time as we ever had."

Q. Could you see the revolvers?—A. Yes, sir; as many as eight or ten.

Q. They were all moving up the street, were they?—A. Yes, sir; up to the right-hand side of Main street as you go up; but I don't think there was more than 25 or 30 white gentlemen right down in front a little to the right; but I did not pay much attention to them, because they were right down and the others were right in front of me on the other side of the street, and I could see them right plain; I was up in the second story.

Q. Did you see any shots fired?—A. I didn't see nary a shot fired.

Q. You were not where you could see?—A. When I got up there it was about over.

Q. I mean from the window.—A. I didn't see any; I saw eight or ten with their pistols, and there were two or three shots fired, and they broke and ran; I don't know whether it was the whites or darkies that fired; they were all mixed up.

Q. Did you have any pistol that day?—A. No, sir; I did not.

Q. You took no part in the riot?—A. No, sir.

Q. Do you know anything about the colored men carrying arms?—

A. Oh, I saw lots of them with them; they come there at Mr. New's stable; they will come in there and talk about what they are going to do, and I have heard them talking about how they were going to divide up all the stores in town; such a one was going to such a one; another said the bottom rail was climbing on top now, and they were going to run it; I heard Squire Taliaferro say it; he had just commenced living in Danville himself, and he was going to have a finger in this pie himself; I don't know what he meant by that, or that he calculated to kill somebody.

Q. It don't matter what he meant, that is what he said?—A. That is exactly what he said.

Q. Did you ever see any acts of rudeness on the streets on the part of colored men, refusing to divide the sidewalk, and so on?—A. It is not so bad with the colored men as it is with the women. I have seen women just go down and crowd ladies off, and I have seen ladies, rather than come in conflict with them, walk along on the street.

Q. Was that frequent?—A. No; that was before the riot, and I have seen it since. It is an every-day occurrence, as far as that is concerned. I see it every week. But the men are not as bad as the women. The black women are a heap worse than the men are.

Q. Did you belong to any political club there during the campaign; you say you are a Republican?—A. Yes, sir; I am a Republican.

Q. Did you belong to any political club?—A. No, sir; not any.

Q. How did you vote the last time?—A. I voted the Democratic ticket straight.

Q. Why did you do that?—A. I will tell you why I did that——

Mr. LAPHAM. I object to that.

Mr. VANCE. Give us your reasons.

Mr. LAPHAM. It is improper, it is irrelevant.

Mr. VANCE. Why so?

Mr. LAPHAM. Well, I object to it.

Mr. VANCE. It strikes me if a professed Republican saw such a state of things in the city as would make him vote for the opposite side it is very material.

Mr. LAPHAM. That is the very difficulty, that he is a professed Republican.

Mr. VANCE. Well, he has professed it.

Mr. LAPHAM. Well, I object to it.

Mr. VANCE. Well, I insist on the question going in.

Mr. LAPHAM. Very well, let it appear that it goes in under my objection.

The WITNESS. That is the only time I cast a Democratic vote in my life.

By Mr. VANCE:

Q. Why did you do it then?—A. I will tell you square why I did it. I considered that there was no issue in the State of Virginia before the people, except a white man against a negro, and I am for the white race every time.

Q. Every time; well, that is a very good reason. That is the only Democratic vote you say you ever gave in your life?—A. That is the only one.

Q. Well, I hope it will not be the last one.

By Mr. LAPHAM:

Q. Who were the white men that came up there while Sims was speaking?—A. Mr. Frank Barton was one, and Mr. Graves was another; I don't know Mr. Graves' initials; it is the old Captain Graves.

Q. Captain Graves?—A. Yes, sir; Captain Graves, Gus. Walker and several, as much as a dozen or fifteen. I could tell the names of several of them if I could think a little while.

Q. Did you hear anything they said?—A. I didn't hear a word.

Q. Just stood silently?—A. Yes, sir; I never said a word; I was standing right behind them.

Q. Oh, no, no.—A. I just wanted to explain.

Q. I don't want you to explain.

Mr. VANCE. It is against the law to explain anything before this committee.

Mr. LAPHAM. It is against the law to do anything but just answer my questions; how long did you stand there?—A. By these white gentlemen?

Q. Yes.—A. I stood there about 20 minutes.

Q. And they never said a word?—A. Never said a word about calculating to use violence or anything of that kind.

Q. I did not ask that; I asked if they said anything?—A. Well, Gus. Walker said that was a pretty hard thing to take.

Q. Is that all you heard?—A. I didn't hear Mr. Graves or Barton open their mouths.

Q. Did you see whether any of them were armed?—A. I did not see whether they were armed or not.

Q. You were not armed that night, were you?—A. Oh, no, sir.

Q. Who was the colored man you heard say that?—A. I told you I did not hear any one of the names at all; it was dark.

Q. I didn't ask all that; I simply asked who the colored man was?—A. I didn't know any one of them.

Q. Well, that answers my question. Where did you vote on election day?—A. Where did I vote?

Q. Yes; where did you vote?—A. I voted in Danville, the third ward.

Q. And voted the whole Democratic ticket?—A. Yes, sir; straight.

RICHARD W. VALENTINE sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville.

Q. What is your business there?—A. Merchant.

Q. Do you keep pistols for sale?—A. Yes, sir.

Q. How long have you kept them?—A. Ever since I have been in business.

Q. How long is that?—A. Five years this June; the second I will have been there five years.

Q. Kept pistols for sale all the time?—A. Yes, sir.

Q. To whom did you sell those pistols mostly?—A. Well, sir, we sold them to everybody up to before the riot; we sold more in that length of time for six weeks to the colored people than we ever sold them before.

Q. You say it was six weeks before the riot?—A. Yes, sir; more in that length of time than we ever sold before.

Q. More pistols to colored people than you ever sold before?—A. Yes, sir.

Q. Didn't you sell more to the whites than you ever did before also?—A. I could not say that. We sold a good many; our trade is better with the whites than it is with the colored.

Q. Can you give an idea of how many you sold, say two months before the riot, altogether?—A. No, sir. We buy these cheap pistols; we

never buy less than a hundred at a time. We buy them that way to get them cheap.

Q. What do you call a cheap pistol; a Smith & Wesson is not a cheap pistol, is it?—A. That is the best that is used.

Q. That is the most costly?—A. Yes, sir.

Q. What do you call a cheap pistol?—A. Well, I can give the names of them; Dictator and Defenders range from 75 cents to \$1.50 according to the finish of them.

Q. What class did you sell mostly to the colored people?—A. We sold pistols from \$1.50 up to \$5.

Q. What do you generally sell the Smith & Wesson 36 caliber for?—A. There is no 36; it is 34, 42, and 44.

Q. What did you sell the ordinary caliber for?—A. Single action we sell for \$9.50; 34, double action, for \$11.50; they cost \$10.65 wholesale.

Q. The cheap pistols you sell mostly to the colored people?—A. They range from \$1.50 to \$5.

Q. Did you sell as many, or more, cheap pistols to the colored people as you did costly pistols to the white?—A. I think we did.

Q. Did you observe any unusual conduct on the part of the colored people awhile before that riot?—A. No, sir; I did not; did not have any idea there would be anything of the kind.

Q. You did not have any idea that such a thing was coming?—A. No, sir; none in the world.

Q. Are you a member of any political organization?—A. No, sir.

Q. Do you take any part in politics?—A. No, sir.

Q. What ticket do you vote generally?—A. Nothing but the Democratic ticket.

By Mr. LAPHAM:

Q. How many Smith & Wesson pistols do you think you bought and sold during that summer?—A. I suppose we sold between 30 and 50—somewhere along there.

Q. Within what time before this riot?—A. Well, sir, we sold during the day of the riot, and sold some before to the people of the town, and also sold them out of town to the country people.

Q. How many did you sell within a month of the riot?—A. I could not tell.

Q. How many did you sell the day of the riot?—A. I could not tell that; we did not have any stock the day of the riot of Smith & Wesson pistols; we had some cheap pistols.

Q. Your stock was gone?—A. We did not have any stock; we did not keep any stock.

Q. I did not ask that; I asked if your stock was gone.—A. No, sir; probably we had a few.

Q. How many did you have the day of the riot?—A. All we had in stock; probably one-half a dozen.

Q. Sold them all to white people?—A. Yes, sir.

Q. What time in the day?—A. We sold them after the riot, after the firing was over.

Q. Didn't you sell any before?—A. Not that day that I remember; we had sold them before the riot.

Q. How soon before?—A. We sold them up to two weeks I suppose; not many though.

Q. Can you name any white persons to whom you sold them?—A. I don't know whether I could or not.

Q. Well, think a moment now.—A. I could not remember.

Q. For what price did you sell them?—A. They ranged from \$9.50 to \$11 and \$11.50.

Q. Can you name any colored person to whom you sold a pistol within a month of that riot?—A. I could not.

Q. Do you remember how many times you ordered pistols during that two months before that riot?—A. No, sir.

Q. Don't you know you bought more than once?—A. Yes, sir.

Q. Did you not more than twice?—A. Yes, sir.

Q. Three times?—A. Well, I don't know whether I did three times or not.

Q. Where did you order them from?—A. New York and Baltimore.

Q. Do you remember how many you procured in any one order?—A. I think, six.

Q. How many of the other kind?—A. The cheappistols we never buy less than a hundred at a time, as I said before.

Q. How many is the most of the Smith & Wesson you ever bought at once?—A. I think, six.

Q. You think you gave three orders within a month of that riot?—A. No, sir; I don't know three; I think two.

Q. And you think it was limited to six?—A. I don't think we ever bought over six at a time.

Q. I did not ask you what you ever did, I said that time.—A. No, sir; I said we never ordered more than six at a time; too expensive to keep in the store.

Q. I want to repeat the question: Can you name any white person to whom you sold a Smith & Wesson the day of that riot?—A. No, sir; I don't remember.

Q. Either before or after the riot?—A. No, sir.

C. C. LANCE sworn and examined.

By Mr. VANCE:

Question. Where is your residence?—Answer. Lynchburg, Va.

Q. Are you a native of that country?—A. No, sir; I am not.

Q. Where are you from?—A. From Pennsylvania.

Q. How long have you lived south?—A. I have been in Lynchburg and vicinity since 1880.

Q. What is your business?—A. I am agent for the Southwest Virginia Improvement Company.

Q. What are your politics?—A. I am a Republican on national politics.

Mr. LAPHAM. That is hardly an answer.

The WITNESS. Well, then, I am a Republican.

By Mr. VANCE:

Q. You are a Republican in national affairs; do you mean by that you make a distinction between State and local affairs?—A. That depends upon where I am, and what people represent the State.

Q. How have you voted in local elections in Virginia?—A. I have voted in Virginia as a Democrat.

Q. Why have you made that distinction?—A. Because I thought they were better people and administered the affairs of State—

Mr. LAPHAM. I object to that question the same as I did to the other. I want it to appear.

By Mr. VANCE:

Q. You thought the Democrats were better able to manage the affairs of the country than the Coalitionists in the State?—A. Yes, sir; I did.

Q. With that preliminary, now I will ask you if you were in Danville about the time of the riot?—A. Yes, sir; I was.

Q. When did you go there?—A. I came in, I think, the evening before, Friday evening.

Q. How long did you remain?—A. I remained until Saturday night, or Sunday morning, rather, when the train left.

Q. During the night some time?—A. Yes, sir.

Q. Well, during the Friday night or Saturday morning did you see anything indicating preparation for a riot?—A. No, sir; I did not. I saw a great many darkies congregated on the streets; thought it was unusual.

Q. When was that?—A. It was Saturday; from 1 to 2 o'clock, I think.

Q. You saw a great many on the streets?—A. Yes, sir.

Q. Did there seem to be any excitement among them?—A. No, sir; not that I noticed. I was not paying particular attention to it.

Q. Did you see any unseemly behavior or rudeness?—A. There seemed to be a feeling of surliness, as it were, on the part of the darkies.

Q. Did you hear any discussion of Mr. Sims's speech by anybody, white or black?—A. I heard some people remarking on the streets that it had been made the night before, but I paid no attention to it.

Q. Where were you when the riot actually began?—A. I was across the bridge, passing Jefferson's coal yard.

Q. How long afterwards until you came over, if you did come?—A. I came over directly I heard the shooting; I suppose five or ten minutes.

Q. What did you see when you got there?—A. I saw people running down street past me.

Q. People running?—A. Yes, sir; both white and black.

Q. White and black?—A. Yes, sir.

By Mr. LAPHAM:

Q. White and black running, you say?—A. Yes, sir.

By Mr. VANCE:

Q. Were they running together or was one pursuing the other?—A. No, sir; they did not seem to be in pursuit at all, just seemed to be getting out of the way.

Q. Seemed to be desiring to get away?—A. Yes, sir.

Q. Did you see any violence on the street at all?—A. No, sir; I did not.

Q. Did you hear any threats?—A. No, sir; I did not.

Q. Did you see any groups of white people on the street in the morning as you did colored groups?—A. No, sir.

Q. The white people were not grouped together on the streets that you saw?—A. Not that I saw. I understood there was a meeting being held in the afternoon just before I passed down street.

Q. Yes; I spoke of street loungers. Well, what did you hear the white men say, if you heard any of them say anything, about the riot?

Mr. LAPHAM. Afterwards do you mean?

Mr. VANCE. Yes.

Mr. LAPHAM. Why, I object to that.

Mr. VANCE. Not as to the effects of the riot?

Mr. LAPHAM. I object to that; it is not competent, I submit.

Mr. VANCE. We have had so much that was not competent that I have almost forgotten the distinction between what is lawful and what is not. The wide range that you have taken in the examination of your witnesses entitles me, I think, to some latitude. I want to show by this witness whether that riot met the approbation of the people or

not, and whether there was rejoicing over it. Several witnesses have testified that there was great rejoicing and the people went off halloing, "Hurrah for we Democrats," and so on, and so on. I want to see whether this witness, who was an impartial man and lived at a distance, saw anything of that sort.

Mr. LAPHAM. That is the conduct of the people, not what they said. Of course, you will receive the evidence. I cannot overrule you. I only put my objection on the record if you press it.

Mr. VANCE. Yes; I think the question is competent, according to the rule we have established; not perhaps strictly in law.

The WITNESS. Well, I did not enter into any general conversation about the riot after it had occurred. The only person I heard say anything about it was Major Sutherland, and he regretted it very deeply, and I afterwards saw no violence at all.

Q. Did you hear any shouting on the part of the white men, or rejoicing, anything of that sort?—A. No, sir.

Q. How long before things were quiet and order was restored?—A. It did not seem to be more than half an hour.

Q. Did you see any of the steps taken to preserve the peace?—A. I saw the militia there under arms.

Q. Did you see any special policemen?—A. I saw several there with guns. I did not know whether they were special policemen or not.

Q. You did not know by what authority they were there?—A. No, sir; I did not.

Mr. LAPHAM. Well, we have got the facts about that from those who knew.

By Mr. VANCE:

Q. Did you see any colored men standing in front of this opera house about the time this meeting was going on?—A. I saw colored men all the way from the Arlington Hotel to the bridge; did not pay any particular attention to what location they were in.

Q. You do not recollect any groups standing in front of this opera house while this meeting was going on?—A. No, sir.

Q. Were you at South Boston on Thursday?—A. Yes, sir; Thursday night.

Q. Where is South Boston from Danville?—A. It is on the Richmond and Danville Railroad; I don't know the exact distance.

Q. Near by, is it not?—A. Yes, sir.

Q. Did you hear any threats there from negroes?—A. There had been a political meeting there the night before, I think; that was Wednesday night. There had been one or two shot or cut, and darkies had threatened the next night to burn the town, but the whites armed themselves for protection alone, I think; I know I stood on guard there with them, but I saw no darkies near the town.

Q. Since you have been living in Virginia have you observed any improper or undue interference by the white people with the right of suffrage on the part of the blacks?—A. No, sir; I have not.

Q. How have the elections which you have observed there been conducted?—A. Fairly.

Q. What is the general disposition of the white people in Virginia, aside from these political troubles which occur at elections—what is the general disposition of the white people toward the blacks, as far as you observed?—A. I think it is a very kindly feeling; they seem to want the darkies to get along.

By Mr. LAPHAM :

Q. Do not you know that the white people have resolved that they will rule Virginia?—A. No, sir; I do not.

Q. You never have heard any such thing?—A. No more than the whites really have resolved to rule in their place.

Q. I mean you never have heard any such talk as that?—A. No, sir.

Q. You know nothing of how this disturbance commenced or who fired first?—A. No, sir; I do not; I did not see a shot fired.

Q. When you came back across the bridge you met whites and blacks running?—A. Running; yes, sir.

Q. What proportion were whites and what blacks?—A. Seemed to be more colored than whites.

Q. Now, which were ahead in the race, the colored people or the white people?—A. Well, they seemed to be mixed up; I saw no indication of any pursuit.

Q. I mean which were ahead?—A. I could not say any of them were ahead.

Q. Who did you meet first?—A. I could not say whether it was white or black.

Q. Can you name any one you met?—A. I did not know any one in Danville.

Q. What street did you come in on?—A. I think Main street.

Q. You came up Main street?—A. Yes, sir.

Q. Do you know Colonel Graves?—A. No, sir; I do not.

Q. Well, you are not much acquainted in Danville, are you?—A. No, sir; I went there on business; the coal business.

Q. You cannot name any of the white people whom you saw?—A. No, sir; I cannot.

Q. Did you witness this thing at South Boston, or are you telling what you heard there?—A. I was there the night after—

Q. Oh, yes; answer my question now; did you witness it yourself; hear anything yourself; or are you testifying what you heard others say?—A. To what fact?

Q. As to threats at South Boston.—A. Simply what I heard them say.

Q. What you heard others say?—A. Yes, sir.

By Mr. VANCE :

Q. You were armed there, I understand you, in consequence?—A. Yes, sir.

Q. To protect the town from burning?—A. Yes, sir.

By Mr. LAPHAM :

Q. How long have you voted the Democratic ticket in Virginia?—A. From the first time I voted there; I do not know the exact number of months, but the first ticket I voted was Democratic.

Q. Well, cannot you tell how many times you have voted it?—A. I think two or three times.

ROGER A. PRYOR sworn and examined.

By Mr. VANCE :

Question. Where is your residence?—Answer. My present residence is in Danville.

Q. How long have you lived there?—A. I came to Danville during the Christmas week of 1882, a year ago from last Christmas. I have since resided there.

Q. Were you in the street the day this riot occurred?—A. I was.

Q. Will you please state anything connected with it that you saw or heard.—A. On that day I was in the opera house, I think, or went up with the intention of going to the opera house, and was called out by a friend, Dr. Green, since deceased, and we went down to Bryden's drug store, which, I suppose, is about 150 yards below it, to play a game of chess. We were in there playing a game of chess when we heard the first firing. We then both came up, and I got there just at the end of what appeared to me to be a volley, perhaps, of thirty or forty shots, perhaps fifty; of course you could not get at the number, and I saw the negroes flying; I saw them running. I then went up to the scene of action and saw the white men gathered together in a sort of a mass, and certain gentlemen were doing what they could to preserve the peace; and the alarm bell rang, and Colonel Cabell and others addressed them, telling them to keep the peace. They then, as soon as it was practicable, formed themselves into patrols.

Q. Well, that was the end of the violence—the disturbance?—A. That was the end of the violence.

Q. How long from the time you heard the firing first commence until order was restored and the patrols in possession of the street?—A. There was only one volley, which occupied—well, it was a very small space of time—perhaps a minute, or not two minutes. It is hard to locate the exact time, and after that volley was fired there seemed to be, as far as I could observe, a general disposition on the part of the whites to prevent further bloodshed.

Mr. LAPHAM. That is hardly competent; I object to that. I object to his statement that there seemed to be a disposition on the part of the whites, as far as he could observe, to prevent bloodshed.

Mr. VANCE. I receive the answer, and insist upon its going down.

Mr. LAPHAM. Very well.

Mr. VANCE. I think it is perfectly competent, in view of everything else we have had. We have had men get up here and state to a fraction how much influence and how much change in a county was caused by the Danville circular.

Mr. LAPHAM. I am dealing not with what we have done, but with what you are doing.

By Mr. VANCE:

Q. Did you hear anything the night that Page Morris spoke in Danville?—A. Yes, sir; well, if I recollect, that night was Friday night and the riot was on Saturday—Page Morris, I do not mean Colonel Sims.

Q. No.—A. That night that Mr. Page Morris spoke I was in my room reading, which is in the Arlington Hotel, at about 11 o'clock, and I heard a great noise of shouting and yelling, and it disturbed me—it was before or about 11, I think—so much that I laid aside my book and went to the window, and I then saw the street blockaded with negroes, shouting and yelling there, and from which, of course, I drew my own conclusions.

Q. What night was that?—A. I cannot recollect the date; the night at which Mr. Page Morris spoke at the opera house.

Q. How long do you think before the election, as well as you can remember?—A. I think about two weeks, perhaps; somewhere in that neighborhood. It would be very difficult for me to locate the date. I remember the incident very well. Mr. Morris was at the same hotel, and he was pointed out to me.

Q. Did they stay in one place or parade?—A. They marched up Main street, I thought, not in column, but it seemed a disordered mob which

filled the entire street from curb to curb, and the sidewalk as far as I could observe, and they then seemed to turn down Union street, and there seemed to be men halting on the corner of Main and Union, where the Arlington stands, and just filled that whole square.

Q. Did they utter any shouts or exclamations?—A. I could not hear the nature of the language they uttered on that occasion.

Q. Did they yell?—A. Yes, sir; their yells were very loud, sufficiently loud to disturb me, although I am pretty high up.

Q. What was the state of excitement in the town just preceding that riot?—A. To answer that question—of course I am subject to being corrected for saying inadmissible evidence—when I arrived from New York, where I had been residing for the past sixteen years, moving there, I think, in 1867, when I was a boy, I came down to Danville for the first time in my life, and I observed there a great antagonism between the whites and the blacks, and that antagonism surprised me, because I thought their interest was the same, and I attributed their antagonism—

Mr. LAPHAM. I object to that.

The WITNESS. If the Senator will allow me, I am not going to answer the question, but I will say the deductions I made from the facts, I observed—

Mr. LAPHAM. That don't make any difference; the facts you can state, the deduction is not competent.

Mr. VANCE. I hardly know how to get along. You take an unknown man's opinion on the train—

Mr. LAPHAM. Oh, no; we asked those witnesses as to facts simply, nothing else, as to either what they heard said, or saw done.

Mr. VANCE. We have even had the narration of events by prophecy here.

Mr. LAPHAM. I do not object to this witness stating anything he saw or anything he heard said, but I object to his stating his inferences.

By Mr. VANCE:

Q. As a matter of fact, what was the temper of the whites and blacks there some time previous to this riot?—A. The temper and disposition of the blacks seemed to me to imply a foolish policy of social and political aggression. The temper of the whites was to repel this aggression, so far as I observed.

Q. You had not lived there long enough to observe what, in times of no excitement—in times of peace, as you might call it—the general disposition and feeling of the two races was toward each other?—A. No, sir; I thought the policy of the negroes and whites was as I have stated, because the manner of the negro convinced me that he was aiming, or rather that he was following a plan of social aggression, and, also, I judged from their behavior, and from—I must say from hearsay in regard to social ostracism, and such things that I heard universally—that they were aiming at political mastery; and there was a disposition among the white people to repel this aggression as far as possible.

Q. Do you know anything—did anything come within your observation of rudeness on the streets, especially by colored women, to white ladies?—A. I saw this: the town seemed to be pervaded by large bodies of idle negroes apparently; that is, they appeared there at all times of the day, and the sidewalks were generally crowded with them, and I should say, if I had been a stranger there, they had been in an enormous majority. They numbered on the sidewalk perhaps six or eight to one, and on the night of Friday—the riot occurred, I believe, on Saturday—

on Friday night I went to a restaurant to get something to eat, and on my way back the street was very crowded in front of Nicholas & Hessberg's; there was a large crowd gathered, and in that crowd I heard utterances of violent sentiments

Q. What did you hear?—A. I heard it stated, who by I could not distinguish, these words, or as near as I can recollect: "We will show them how to shoot;" and I heard another voice say, "We can shoot as well as they." I then passed on, not caring to stop, and not caring to be the cause of creating disturbance.

Q. What, in your own opinion, led to that riot—was the cause of it?—A. Well, sir, I have stated my own opinion, is, I am free to say, from what I observed, that the negro aims at social equality and to political —

Q. I know—but the immediate cause?

Mr. LAPHAM. Let him finish.

The WITNESS. My observation is that the negro aims at social equality and endeavors, by whatever means, to obtain the political mastery.

By Mr. VANCE:

Q. Now, was there any immediate cause for that outbreak, and what, in your opinion, was it?—A. Well, sir, of course I was not an observer of the scene of this fight. That has been reported. It has been told here. The fight between Noel and Lawson. I was not an observer of that scene, but I saw these things, and it occurred to my mind—in fact, I thought all the time we would have trouble for the reason that I saw the negro was apparently aggressive all the time, and I thought that some slight cause might provoke a collision.

Q. The colored people were aggressive, and the white people were on the defensive?—A. I think so.

Q. Did you hear Mr. Sims' speech?—A. No, sir; I did not.

Q. Did you hear any comment upon it among the colored people?—A. No, sir; I did not.

Q. You could not say what it had to do with it?—A. No; I do not know.

By Mr. LAPHAM:

Q. Where is your native place?—A. I was born in Virginia, in Charlottesville.

Q. Your father's name was Roger A. Pryor?—A. Yes, sir.

Q. When did you leave Virginia?—A. I left Virginia either on the first or second year after the war. My recollection is that my father came to New York the first year after the war, and that he moved his family there the second; the best of my recollection is I moved there in 1867.

Q. And you staid there until when?—A. I lived there—that was my domicile—until the Christmas of 1883.

Q. Then you came to Danville?—A. Then I came to Danville.

Q. And you have described, now, the condition of things you found when you arrived in Danville?—A. As it appeared to me.

Q. As early as Christmas, 1883?—A. No.

Q. 1882, I mean?—A. No; Christmas, 1883, was last Christmas; Christmas a year ago—1882.

Q. That is the way I understood you. That is the condition of things you found there when you reached there in Christmas, 1882?—A. Such of my remarks as will apply to the condition of the two races will apply; but the excitement was not so great as subsequently. I am speaking now of the relation of the two races.

Q. Well, you know the purpose on the part of the whites to maintain supremacy, don't you?—A. I have not observed a purpose to maintain supremacy, but I have observed a purpose to repel aggression. I can hardly distinguish, because it is——

Q. Is not that with the view of maintaining supremacy?—A. You can hardly maintain a thing that has never been. I do not think the blacks ever had supremacy.

Q. Do you believe the whites of Virginia would ever submit to a state of affairs over which they had not the political control?—A. You ask me a question of my belief.

Q. Yes; you have been stating your belief?—A. I believe emphatically they will, and found my belief upon the fact that they have.

Q. That they will what?—A. That they will submit to the political supremacy of the negro or Coalitionist.

Q. When have they done that?—A. That, of course, does not come within my knowledge, but I am informed——

Mr. VANCE. That is an historical fact.

The WITNESS. I base my observation upon that historical fact—that they have been in supremacy there for a number of years.

By Mr. LAPHAM:

Q. Do you mean to say there is no feeling of bitterness, then, on the part of the whites toward the colored people?—A. There is a distinction to be observed. Personally, and as one class to the other, I do not think so, but as during the political times, it seems to me—during times of negro aggression—there is that feeling; I cannot call it personal bitterness, but a desire to resist that aggression as far as politically they can, I presume.

Q. You left your game of chess and went where?—A. I left my game of chess and proceeded to the scene of trouble.

Q. The blacks had all fled before you got there?—A. They were fleeing; they were just breaking away.

Q. Did you hear any shots after you got up there?—A. I think I heard two shots just, pop! pop! something like that; seemed to be, perhaps, straggling shots.

Q. Do you know who fired them?—A. No, sir; I have no idea.

Q. Did you see any white men with arms?—A. Do you mean then shooting?

Q. No; as you were coming up there?—A. In my position the blacks were between me and the whites, and they ran past me.

Q. You came up where the white men were?—A. Yes, sir.

Q. Did you see any with arms?—A. No, sir.

Q. Where did you go from where the white men were gathered into a group?—A. I believe the whole crowd, if I recollect right, moved in front of the Arlington Hotel, where they were addressed.

Q. Where was that group of white men where you first found them coming up the street?—A. The negroes seemed to all disappear, and the whites——

Q. Where were they assembled when you first reached them?—A. They seemed to be extended from the opera house to the Arlington Hotel, I thought.

Q. All the way up street?—A. Yes; there seemed to be a great many.

Q. How many?—A. I could not form an estimate.

Q. You can tell whether there were a half dozen, a hundred, or more than a hundred?—A. There might have been; it would be impossible for me to give an estimate.

Q. How many were in the opera house when you were there?—A. It was right full; I suppose the seats were nearly all taken.

Q. How many will it hold?—A. That opera house, down stairs, will hold about 350.

Q. Well, the galleries?—A. The galleries will hold about 150 more.

Q. Making 500 in all?—A. But I cannot testify that the galleries were full, because——

Q. What are your politics?—A. I am a Democrat.

By Mr. VANCE:

Q. When you met these fleeing colored people, did you meet any white people pursuing them?—A. No, sir; they were not pursued, not within my observation.

Q. You spoke generally of the feeling that you thought actuated the races, and I understood you to—I do not know whether the reporter caught it or not, as Mr. Lapham interrupted you just at that moment—that this extreme bitterness was subsequent to your general observation and just a little before the riot?—A. Yes, sir.

Q. Is that correct?—A. That is correct.

Q. When you got there a year ago, you did not find any of this bitterness?—A. I can explain it in this way: So far as the negro now is concerned, as he is employed in the factories, I can see nothing but instances of kindness; but when he is arrayed politically, there seems to be a disposition to array against him, as it were.

Q. In a business point of view they are all right, but not when they separate politically?—A. Yes, sir; when they mass politically they become most——

By Mr. LAPHAM:

Q. You were not a voter when you left Virginia?—A. Oh, no.

Q. And never became a voter until you returned there?—A. Yes, sir; I voted in the State of New York.

Q. In the city, I suppose?—A. No; in the city of Brooklyn, where I resided.

Q. You did not get into the Young Men's Reform Club?—A. Not the Young Men's Republican Club.

WILLIAM A. MOORMAN sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville.

Q. What business do you follow in Danville?—A. I am manager of a tobacco factory.

Q. For whom?—A. Swain, Wylie & Co.

Q. Is that a large factory?—A. Yes, sir. We work I suppose in my room 115 hands; in all we work perhaps 200, not regularly, but during the summer months of working, as soon as we work, very near that.

Q. What is the general disposition between your hands and their employers, aside from political trouble?—A. Aside from politics, I think there is no ill feeling whatsoever. On the contrary, I think that the white people, in fact I know that the general sentiment of the citizens of Danville is in sympathy with the desire to promote the interest of the negroes all they can. I believe that the negro himself, but for designing politicians, who play upon his ignorance, would be equally as kindly disposed toward the white men.

Q. If it was not for these political troubles they would get along mutually beneficial to each other?—A. Yes, sir.

Q. Do you know anything of the habits of the colored men within the last few months before this riot as to carrying arms?—A. No, sir; I cannot say that; I know I saw numbers during the summer. One or two negroes came in or started to come to the factory with pistols, although I did not attribute it to any motive then, especially some of the younger ones; but, of course, I would not allow anybody to bring a pistol in the factory, negro or white man.

Q. Well, on one or two occasions you were aware of their having pistols?—A. Yes, sir; I went to one—I will show you my action toward them—I told them if I was called before the grand jury they would be indicted for the act of carrying concealed weapons, and I advised them as a friend to take the pistols and never let me or anybody else see it again; and I have always invariably told them the same thing when I have seen them.

Q. Do you know anything of the condition of the market at the time it was complained of; when this circular was written?—A. Yes, sir; I must confess that the market was a place I would not allow my wife or sister, if I had a wife or sister, to go there, especially Saturday evening or late in the evening when the factories came out and the rabble were usually assembled there. It seems that all the young loafers, such men as this Hense Lawson and Davis Llewellen, whom I had known all my life, grown up boys together, they assemble there, and are boisterous, and disposed to be insulting.

Q. Do you know the general character of Hense Lawson?—A. Yes, sir; he has always been a bully. I have known of three instances where he has insulted white men. I know that when he staid at Nicholas & Hessberg's they kept him as a bar clerk on account of his popularity with the negroes; they had two bar-rooms; their back bar-room was for the white men and front bar-room was for the colored people. This colored man was in the front bar, and he used to have crowds around him all the time, and it actually got so at times the ladies were afraid and stopped passing up there; and now Mr. Nicholas has stopped it, and in fact stopped it a year ago.

Q. How about Davis Llewellen; is he a peaceable man?—A. No, sir; he is not a peaceable man. I think he has no bravery; he is a moral coward; he is a bulldozer, and anybody that he can scare he will intimidate; just that kind of a man; no bravery whatever.

Q. You say the market is not a decent place for ladies to go into?—A. Of course I could not see it at all times of the day. I know that I have walked Saturday evenings around the square rather than to pass through it myself, where I would run up against negro men and women drinking, carousing, engaged in all kinds of nuisances. Disreputable characters live in the upper houses. I know that to be a fact; lewd colored women, and I think most of them were kept by these negroes, to use a vulgar expression.

Q. The maket, then, you think, was a thoroughly disreputable place?—A. I so considered it.

Mr. LAPHAM. He has only spoken of it at the particular time; that is, Saturday evenings.

The WITNESS. I have spoken of it as any time, particularly Saturday evenings.

Mr. LAPHAM. He said expressly he could not say how it was through the day.

The WITNESS. I said I could not judge because I did not visit at all times of the day. I have passed around it during the day, though.

By Mr. VANCE:

Q. Were you a member of any political organization during the last campaign?—A. Yes, sir; I was a member of the Third ward club, and attended every ward meeting during the entire canvass. I think, with the exception of one, I mean of all the various wards—we have three wards, first, second, and third—I participated in all those meetings to a certain extent.

Q. Was the subject of preserving the peace and avoiding collision with the colored people ever spoken of in the club?—A. The subject of preserving the peace?

Q. Yes; the subject of avoiding any collision?—A. Yes, sir; I think I have heard—I have forgotten—but, in fact, I have heard a great many mention it that they thought there might be trouble; the negroes were becoming more bigoted every day.

Mr. LAPHAM. That is hardly competent.

The WITNESS. And that——

Mr. VANCE. Wait a moment.

The WITNESS. And that the tendency was to insult——

Mr. VANCE. Wait a minute.

Mr. LAPHAM. I object to that.

Mr. VANCE. Object to what?

Mr. LAPHAM. The general statement he is now making.

Mr. VANCE. You think it is not competent for me to show that the organizations of the party counseled peace and abstention from all violence, &c.; that was my question.

Mr. LAPHAM. I know your question is proper enough, but his statement is a very different one.

By Mr. VANCE:

Q. Now, Mr. Moorman, if you understand my question, as assented to by Mr. Lapham, I will repeat it, and then you can answer it. Was there any advice given, or any counsel given, upon the subject of abstaining from abuse, or abstaining from any violence or collision with the colored people during that campaign?—A. The whole advice of the club was to that end. It was to preserve order, and to insist upon no man doing anything but use every fair and honorable means to elect our candidates to the legislature, were the remarks. I have heard them made frequently, that we never desire to use any but fair and honorable means. I never heard any other mode or method mentioned.

Q. Was there anything said or done there, or do you know generally of any conduct on the part of anybody among the white people or Democrats that looked toward procuring this riot to be brought about in order that they might shoot negroes and intimidate them on the day of election?—A. I do not. You have asked me if I know any white men.

Q. Yes.—A. No, sir; I do not.

Q. Do you know any conduct on the part of the colored men other than what you have stated here looking toward the fact that they wanted to get up a fuss?—A. Nothing except the action of theirs on the Saturday evening of the riot. Of course, I had seen bigoted ones, but I could not say that.

Q. So far as you know, was that riot accidental?

Mr. LAPHAM. One moment. I object to that question. That is not a competent question, I believe.

Mr. VANCE. He has answered, I believe, that he knew of no fact showing premeditation.

Mr. LAPHAM. That you have got; but that is going a step beyond.

Mr. VANCE. Well, I suppose it is competent to ask him how it came, or how he thinks it came about.

Mr. LAPHAM. No; I submit that is not competent.

Mr. VANCE. That has been asked, I think, forty times.

Mr. LAPHAM. I know I have not asked any such question.

Mr. VANCE. You have introduced dozens of witnesses to show that the riot was preconceived and preconcerted.

Mr. LAPHAM. We have asked no witness that general question. You cannot find it in the record in that form as to any witness.

Mr. VANCE. Oh, no; in that form.

Mr. LAPHAM. We have introduced witnesses to state facts showing—

Mr. VANCE. You have introduced witnesses to show that unknown men on a train said they were going to have a riot, and they have been telegraphed to come home.

Mr. LAPHAM. Yes; we have done that.

Mr. VANCE. You have introduced the conductor of a railroad to say he heard rumors of the riot before it occurred.

Mr. LAPHAM. Yes, we have done that; that is stating a fact.

Mr. VANCE. Now, I propose to show by a witness, who was there in the midst of the whole concern, that the riot was accidental. I asked that question of Judge Blackwell, and you permitted him to answer it, and the judge answered it that he thought it was precipitated by the hot-headedness of these young men. I have asked one witness to-day if he thought Sims's speech had more to do with bringing on the riot than anything else; now, to be objected to at this late day looks a little hard. I insist on his answering the question. Note your objection.

Mr. LAPHAM. Of course that is the only result. My objection is that his opinion as to whether it was accidental is wholly irrelevant and improper in this case and no statement of any fact.

Mr. VANCE. Well, your objection is on the record. Answer the question, Mr. Moorman, what, in your opinion, produced that riot, or caused it?

Mr. LAPHAM. Oh, that is another question to asking him "if in your opinion was the riot accidental."

Mr. VANCE. Then I have changed the form of my expression, as the reporter will note.

Mr. LAPHAM. What is the form now?

Mr. VANCE. What, in his opinion, produced the riot.

The WITNESS. I think, sir, the immediate cause of the riot was the insult offered a young gentleman by the name of Noel by Hense Lawson and this Lewellyn. The young man personally honorably attempted to resent it; in doing so it brought about the riot through a purely accidental process; I think the negroes may have premeditated it; I think very probably from their actions on that day—

Mr. LAPHAM. Well, I object to that.

Mr. VANCE. He is answering the question, I think, fairly.

Mr. LAPHAM. Oh, no; way beyond it.

Mr. VANCE. If the question is permitted to go to him he must answer it.

Mr. LAPHAM. Oh, no; he is stating a possibility now, or probability, after stating distinctly his opinion based upon what did occur there; in fact now he is proceeding to state what possibly may have had some influence in it; that he cannot do.

Mr. VANCE. Well, he has stated that he did not think the riot was premeditated and brought about by the whites.

Mr. LAPHAM. No; he has not said that.

Mr. VANCE. Well, he has sworn that he saw no evidence tending or looking in that direction.

Mr. LAPHAM. Yes, he said that, and he said that he thought it was because of the insult of Lawson to Noel distinctly.

Mr. VANCE. Now I suppose it is competent for me to ask him if the colored people brought it about; if they were to blame for it. I think the question is a proper one according to the precedent we have established.

Mr. LAPHAM. Very well.

By Mr. VANCE:

Q. Now you can state what you started to say.—A. I started to say that I think the negroes, or what is more probable, that a few of their leaders, got in that crowd in front of Woolfolk & Blair's office for the purpose of throwing them into a riot. I think it was urged by designing political leaders to make party capital; trying to intimidate the whites into some such action.

Mr. LAPHAM. I move to strike out all this last answer as wholly incompetent as evidence in this case.

Mr. VANCE. That is his opinion.

Mr. LAPHAM. No, it is not even his opinion; it is a conjecture. You object to its being stricken out and of course it stands in the record.

Mr. VANCE. Of course I object to its being stricken out.

Mr. LAPHAM. Well, the record will show our positions in respect to it.

Q. You say that the upper stories of the houses there opposite the market are disreputable houses; you know it to be a fact?—A. Yes, sir; I know that to be a fact; I have seen women whom I knew to bear the character of lewd women living there; I have heard young men tell me——

Q. Oh, I do not ask what young men said.—A. Well, I know positively of my own knowledge that there are disreputable characters there living in those upper rooms.

Q. Where did you do your marketing?—A. I do not do any marketing at all; I board.

Q. You have no occasion, then, to go to market yourself?—A. Except through business.

Q. I mean to purchase supplies?—A. No, sir.

Q. Who do you board with?—A. I board with Mrs. J. H. Hillner, on Main street.

Q. Do you know where she did her marketing?—A. No, sir; I do not; I never asked her.

Q. Did you hear the insult of Lawson to Noel?—A. Did I hear the insult? No, sir.

Q. Were you present at the fight between them?—A. No, sir.

Q. And yet you have given the opinion here that that insult of Lawson to Noel lead to this riot?—A. Yes, sir; that was my opinion; I know that the fight——

Q. Oh, don't go any further now; that is a legitimate answer to my question. In the club of which you are a member was there a resolution withdrawing patronage from Readjusters and colored people?

Mr. VANCE. Only speak of your own knowledge, witness.

Mr. LAPHAM. Yes; he says he has attended every meeting but one.

The WITNESS. There was a resolution of that character offered.

Q. How long before this trouble?—A. I cannot say.

Q. Well, about how long?—A. Well, it certainly could not have been

more than a month ; I really don't know how long the organization was kept up.

Q. Do you remember whether it was published in the papers ?—A. No, sir ; I do not know whether it was or not.

Q. Do you know also of the movement there with a view to prevent renting of tenements to that class of people ?—A. No, sir.

Q. Did you know of the indictments found in the courts there against people for bearing arms ?—A. Did I know ?

Q. Did you know the fact that a large number of indictments were found during that summer ?—A. No, sir ; I do not know of my own personal knowledge that summer.

Q. Did not you hear it ; did not you know the fact was so ?—A. No, sir ; I do not know as I did.

Q. Well, you knew the fact that the law was against carrying concealed weapons ?—A. I knew the fact that the law was against carrying concealed weapons.

Q. I think you have stated you saw one or two of your men have a pistol ?—A. I say I saw one, I am confident, last year, and it may have been the year previous that I saw another with a pistol.

Q. Well, not more than one or two ?—A. Yes ; I could accidentally see it in his pocket.

Q. And you had in your employ at one time how many ?—A. I do not know ; I have one hundred and fifteen now.

Q. You spoke of having more in summer ?—A. I say the factory had two hundred ; I do not manage but one department.

Q. I thought you said it went as high as 300 at times. What do you know about white people going armed ?—A. I never saw but two with arms, and fortunately, or unfortunately, for them I was summoned before the grand jury that indicted them.

Q. Was that last season ?—A. No, sir ; that was before this election.

Q. Yes, but last year ?—A. I cannot say whether it was last year or not.

Q. How long before this election ?—A. I think it was the election when Colonel Cabell run for Congress.

Q. Well, as far back as that I do not care to follow it.—A. I am confident it was then.

Q. Did you ever know the race issue to be drawn as it was in the last election ?—A. No, sir ; I have never known the race issue to be drawn further than the colored people drew it themselves.

Q. Well, that don't answer my question ?—A. I mean by that——

Q. Did you ever know the race issue drawn so definitely and with such determination on both sides as it was in the last canvass ?—A. No, sir ; I never saw——

Q. That answers my question.

WASHINGTON, D. C., *Friday, April 4, 1884.*

FRANK G. RUFFIN sworn and examined.

By Mr. VANCE :

Question. Where do you live ?—Answer. In the city of Richmond, Va.

Q. What is your occupation ?—A. I am at present the second auditor of the State of Virginia.

Q. Were you present in the city of Richmond at the celebration of the Democratic party just after the election ?—A. Yes, sir.

Q. What day was it?—A. I cannot fix the precise date. I was there though, and witnessed the whole procession, which took place that night. I witnessed it from several different points.

Q. Will you state if there was a club of colored Democrats in that procession?—A. There was; from Drake's Branch, Charlotte County.

Q. You saw all the procession?—A. Yes, sir; I saw the procession and colored club.

Q. Do you know if there was any disturbance—stoning of those colored Democrats as they went through the streets of Richmond?—A. I heard there was from several different points where I witnessed the procession.

The CHAIRMAN. That is hardly competent.

Mr. VANCE. We will make it competent if you will bear with us a moment. He says he saw the procession stopped, and heard the word pass that they were stoning.

The WITNESS. Inquiring what was the cause that a stone had been thrown, said one, at certain people in the crowd; at another time the same thing repeated, not especially at this club that I know of, but the procession itself was stoned from several points by people who in the darkness would throw these stones—be just by the place—and then get out of the way of the police. There were mounted policemen.

Q. Did you hear any expressions of violence or dislike from the colored people toward the colored Democrats of that club?—A. Yes, sir; I heard them, distinctly.

Q. What did you hear?—A. The attention of the bystanders was called to the fact; there were negro women who would express themselves very offensively. What the precise language was I do not remember at this time. The immediate cause that provoked that immediate objurgation (so to speak) was that the colored club had been assailed just as the procession was about to wind up and take position upon the public square opposite Ford's Hotel, where the speaking was held, and I saw these negroes composing the colored club marched between an escort of police and carried into an engine-house. I inquired what was the matter, and was told they had been assaulted by the negroes, and that they were taken to the engine-house for safety, and to prevent a row or riot. It was then that I heard these negro women use these objectionable expressions. There were men there. I don't remember that I heard the men say anything the negro women more particularly attracted my attention.

Q. They were escorted by the police, and were put in that engine-house for safety?—A. Yes, sir.

Q. And to avoid a row on the street?—A. To avoid a collision on the street; yes, sir.

Q. Do you know whether they were escorted to the depot in like manner by the police when they left?—A. I heard it stated. I went home before the celebration was entirely over. There was a great crowd there. When they began to speak I could not hear anything. I had two ladies with me, and one of them was quite lame, and I went home in order to avoid that crowd. But it was a matter of notoriety that they were escorted to the train that night when they went away.

Q. Do you know anything of your own personal knowledge of a colored man there who was permitted to die by himself without any of his race with him, and who was buried by the whites?—A. Nothing of my own personal knowledge. But it was matter of notoriety. It was printed in the newspapers, and not contradicted.

The CHAIRMAN. I do not like to object to anything that is reasonable, but it seems to me——

Mr. VANCE. I did not call for that, unless it is his own knowledge. It may be stricken out.

The CHAIRMAN. I think it had better be stricken out.

By Mr. VANCE:

Q. Can you tell us the name of that colored man who died?—A. No, sir; I was not acquainted with him at all, but can easily ascertain it.

Q. Do you know anything of your own personal knowledge, or that came within your observation, of the manner in which the black people treat the black Democrats in the city of Richmond?—A. Not within my own personal knowledge; I have often heard, but that is not testimony, it seems.

Q. How was this last campaign conducted, so far as you observed it; was there much bitterness and excitement?—A. I never saw as much. I think there was more than there was in the Walker-Wells campaign.

Q. Was there as much on one side as on the other?—A. Well, no, sir; I think there was not, at least. I will explain the answer I will give. Of course, when one party is assailed he is very apt to repel with force, and proportioned to the violence of the assault. I know that fact, as a general fact, perfectly well. All our people, the white people, were trying all the time to keep on the defensive. They had a special reason for it.

Q. What was the reason that they tried to keep on the defensive?—A. We apprehended fraud in the election on the part of General Mahone, and we meant that he should have no excuse to perpetrate a fraud.

Q. Do you mean a fraud in the election, or in the returning board?—A. Fraud in the returning board. We believed (if that is testimony) that unless our majority——

The CHAIRMAN. I object to that. I do not see really what that has to do with it, and I do not think it is exactly right to arraign General Mahone personally here, being a member of the Senate, without at least requiring it to be done by legal evidence.

Mr. VANCE. I suppose the witness referred to him as the leader of the other party, and not particularly——

The WITNESS. Yes, sir; entirely as the leader of the other party.

Mr. VANCE. Not particularly that he would do it himself, but that his folks——

The CHAIRMAN. Do you mean that General Mahone——

The WITNESS. I meant that General Mahone—if you want my real reason—that General Mahone could make his party do anything he chose, and he would make them do it.

The CHAIRMAN. Well, that is not exactly right, to call out anything in this way about one of our colleagues.

Mr. VANCE. No; I did not call for it; I called for the general expression.

The WITNESS. Well, the general expression——

Mr. VANCE. One moment. You recollect that a number of witnesses have been asked for their opinions as to the objects and motives of the Democratic party in conducting the canvass, and the effect of their circulars, &c., which was mere matter of opinion.

The CHAIRMAN. I think it is very proper for you to ask this witness his opinion as to the effect and policy of his party, and all that. I have not the slightest objection to his giving his opinion. He says he is a Democrat. [To the witness.] You are a Democrat, are you not?

The WITNESS. Yes, sir.

The CHAIRMAN. I think it is perfectly competent for him to give his idea of the aims, ends, and objects of his party, to a reasonable extent; but to give his opinions about individual persons would be to degenerate this investigation into a mere personal wrangle, and we do not want to do that.

Mr. VANCE. Mr. Wise, if you recollect, testified that the party continually and unremittingly sought to make the race issue an important issue of the canvass, and so on, much to the same effect.

The CHAIRMAN. That is perfectly legitimate for him to give his opinion about what the Readjuster party, or whatever it is called, did or proposed to do.

Mr. VANCE. Mr. Wise asserts this as a fact—that such was the fact. Now I want to show in rebuttal of that the fact that the Democratic party endeavored to act on the defensive, and the reason for doing so.

The CHAIRMAN. There is not the slightest objection to that. But what I objected to is of a different character—personal allusions.

Mr. VANCE. Well, I did not call for them.

Q. Now just state in general terms, without referring to any individuals, what was the reason that you sought to be on the defensive, and very careful in everything you did.—A. There were two reasons. The first was a reason of party fealty. The proposition had been made on the part of some of our friends, considerately or inconsiderately, that we should make the race issue. It was suggested in policy. The Democratic convention met at Lynchburg, and distinctly declined to make, repudiated the making of, any such issue; therefore, it was our obligation to that party that the issue should not be made. The second ground was that if we gave any color or pretext for the charge that that issue had been made, we would so weaken our own strength as to give the opposite party the opportunity of defrauding us out of the election by the returns.

Q. Your adversaries had possession of all the machinery for counting the vote?—A. Absolute, sir.

Q. Is it not a fact that the leading organ of the Readjuster party in Virginia charged and taunted the Democrats with having abandoned the race issue by their proceedings at the Lynchburg convention?—A. I think so.

The CHAIRMAN. That ought to be proved. Have you got the paper here?

Mr. VANCE. We will furnish the paper.

The CHAIRMAN. Well, I have no objection to that; that is proper enough.

Mr. VANCE. We will furnish it.

The CHAIRMAN. I object to the mere proof, unless he can produce the paper.

Mr. VANCE. I believe that we allowed you to produce evidence of the contents of a paper that no man but the witness ever heard of—a dodger just floating through the air.

The CHAIRMAN. I do not remember.

Mr. VANCE. Oh, yes; that was the man from Ohio, local historian, or whatever he was; Richards.

The CHAIRMAN. That we can prove; the paper itself was absent in the State of Ohio, and it was impossible to get it; that was the reason. However, I do not wish to be strict about the ruling, but the paper itself is so easily obtained.

Mr. VANCE. Certainly ; we will file the paper, and if we do not file it I will agree that the question and answer may be stricken out.

Q. Do you know the fact that such a charge was made anywhere by the Readjuster party ?—A. Yes, sir.

Q. That the white Democrats were trying to cotton in with the negro party ?—A. Yes, sir.

Q. And had abandoned the race issue ?—A. Yes, sir ; pretending to abandon the race issue, when really it was charged by all the speakers that they meant to keep the race issue in all its strictness.

Q. Now, I will ask you if you know that any effort was made by the Readjuster party in that campaign to keep the colored vote consolidated ?—A. Why, no, sir ; our effort was to divide the colored vote.

Q. I mean the Readjuster party ?—A. Of course. And their boast was that they had the colored vote "solid" ; the word "solid" was one of the commonest words in the campaign.

Q. Do you recollect what particular efforts were made to induce the colored people to believe that the true Republican party was in the Readjuster party, and not the straight-out Republicans ?—A. I do not know of any special efforts with regard to true Republicanism, nor do I know—and I do not desire to state anything but what is testimony—of speeches that were made. But I know as matter of rumor—no, as matter of well authenticated reports—that the most exasperating charges were made against the Democratic party, charges that they meant to enslave the negroes, you know.

Q. That was common talk, was it ?—A. Yes, sir ; it was the common talk.

Q. The immediate object of my question was to ask you how they induced the colored people to abandon the straight-out Republican party and to vote with the Readjuster party. What arguments did they make use of for that purpose ?—A. Well, sir, the arguments made use of, so far as I know, were that unless they voted with the Coalitionists (I prefer that term ; I was a Readjuster myself) unless they voted with the Coalitionists they would be enslaved by the other party when they should get the power.

Q. How long did you act with the Readjuster party ?—A. Until the debt question was settled, and until another question came up ; until the suffrage question had been restored to its original condition of absolute universality.

Q. You voted, then, for the amendment which repealed the capitation tax as a prerequisite to voting ?—A. Yes.

Q. When that was accomplished, and the debt issue settled, you saw no further object in your remaining in affiliation with that party ?—A. I saw a good deal of reason for not remaining in affiliation with it after that time, or thought I did.

Mr. VANCE. Senator, you can examine the witness.

The WITNESS. Perhaps it may come properly in my examination-in-chief, if I should say so, in reference to the disposition on the part of the citizens of Richmond to avoid any collision, and particularly to keep out of and clear of the Danville riot, if you wish any testimony of that sort.

Mr. VANCE. Yes, that is competent.

The WITNESS. If that is competent testimony, I have it. We found out in Richmond on Sunday morning, when the papers were distributed, about the riot of the previous day in Danville. At half past 11 o'clock I was called out of church by a telegram from my son (who testified here the other day), suggesting that men be sent up from Richmond in

order that peace might be kept there, by those who were not a party to the controversy, and to give the citizens of Danville who were on guard, and all that, an opportunity to rest. It was a matter of discussion with us whether it was advisable to do that or not, because if we sent them it might add to the exasperation in Danville; and if we did not send them it might cause increased bloodshed and precipitate the conflict. There was among us, as there were in Danville, two parties in reference to that thing—as to which was proper in the interest of peace. Ultimately we determined to wait for a more pronounced and general application for assistance before any was sent by the citizens. I was in telegraphic communication with certain gentlemen in Danville represented by my son, in regard to all that matter, and made the arrangement with Colonel Buford, the president of the railroad, for special transportation; that we would not move until that application should come, and then we should have a clear track, which would enable us to make the trip in about three hours, and that we would send as many men as were necessary to keep the peace, and those men were to be prudently selected, and prudently led and guided.

Q. You did not propose, though, at any time, to send down men to help the mob, but to keep the peace?—A. Not at all; my object was to keep the peace, because we had nothing to gain and everything to lose. So that if there had been nothing to gain, mere selfishness would have prompted us to the course we pursued. It was more prudence than patriotism.

Q. So far as you know, did that feeling generally prevail in the party over the State, that it was your true policy in that campaign to avoid any collision whatsoever?—A. Yes; and to such an extent that people submitted to many things that under ordinary circumstances they would not have submitted to.

By the CHAIRMAN:

Q. This disturbance you speak of on the night after the election——
A. It was a few nights after the result was ascertained.

Q. You had a jollification meeting?—A. Yes, sir.

Q. Both parties were still a good deal excited, were they not?—A. Yes, sir; I cannot say so far as irritation was concerned; we had very little of it on our part at that time.

Q. You are unable to state the nature of the disturbance in the procession, but you heard that a stone was thrown?—A. More than one, repeatedly; various parts of the procession. There was another evidence of discontent there.

Q. Well, answer my question now. How do you know that they were thrown by colored people?—A. Well, sir, I did not see it, so I do not know anything about it.

Q. You have answered that—— A. But if you ask me how I know, I say I know by irresistible inference that no white man was going to throw a stone at his own procession.

Q. No white man among the Coalitionists or Readjusters?—A. Every decent man, I think.

Q. Just answer my question; do you know who threw a stone, a man or boy?—A. No, sir; I do not.

Q. Is that so extraordinary a thing, to have stones thrown into processions?—A. Yes, sir; in Richmond, unprecedented.

Q. How long did they disturb the procession; did it stop it?—A. Yes, sir; several times.

Q. How long?—A. Oh, you can't tell; the procession was over a mile long.

Q. How many colored people were there in the procession?—A. There were none but this club of Democrats from the county of Charlotte; there were some thirty or forty of them. I saw them go along; I could not have counted them; never heard them counted.

Q. Was there no disturbance in any part of the procession except that?—A. Yes, sir.

Q. Disturbance along the line?—A. Disturbance along the line; I never heard they were the sole objects of attack.

Q. What connection has that with the race issue?—A. Because they were escorted out of danger under guard until they got to the point to take their position. When they got to the position the crowd was gathered around the speakers' stand.

Q. But stones were thrown at different points along the line?—A. Oh, yes; certainly.

Q. It was a fact, was it not, that the great body of the colored people were voting the Coalition ticket?—A. Yes, sir.

Q. Did they go with that party because of a deep founded feeling among the colored people that their rights were not safe with the Democratic party. Now, you are a man of intelligence, and I ask you that whether that feeling is well-founded or not; I ask you whether they had the feeling?—A. Of course they had the feeling.

Q. That their rights were not safe?—A. Unquestionably; yes, sir.

Q. They felt that if the Democratic party should prevail there, that in some way or other they would be deprived of some of the rights that were given to them by the Constitution?—A. They had been taught to believe that if the Democratic party prevailed they would be restored to slavery.

Q. Was it not the fact that these impediments to the exercise of their rights by this law you say you helped to repeal created that impression on the minds of the colored people?—A. Not necessarily, because it operated on the whites as well as on the blacks.

Q. In fact did not it operate mainly on the blacks?—A. Not as much as I expected when I came to look at it; the effect of it was more favorable to the blacks than to the whites, because a black man would let you pay the dollar and vote, but the white man would not.

Q. As a rule, was it enforced in the case of white men?—A. Of course; just as much as against the black man.

Q. Why were you so anxious to have it repealed, then?—A. For the simple reason that the purchase of the negro vote and the amount of corruption introduced into it, that was one reason; and another reason is, I was the first man in Virginia, that I know of on my side that wanted suffrage universal; that wanted the negro to vote, in May, 1865.

Q. Well, that has nothing to do with it.—A. That is an explanation of the question. I think that has a great deal to do with it.

Q. I ask you whether the complaint made against this law was not almost exclusively by the black people?—A. It was not; not at all.

Q. It was not?—A. No, sir; not to my recollection.

Q. When was it that you rejoined the Democratic party?—A. I rejoined the Democratic party—. Well, if I had the paper I could give you the exact date. I got a pronunciamento; if I could refer to a document I could give you the precise date.

Q. Well, in what year was it? . That will be near enough.—A. It was in the year 1881 or 1882. I have the paper somewhere in my pockets that will give the date; but I did so after the adjournment of the legis-

lature, which was known by us as the Coalition session of the legislature. I was one of the "big four."

Q. Now you are using technical words which I do not understand.—A. Well, Mr. Massey will explain them to you. You will have him here.

Q. You rejoined the Democratic party in 1881?—A. No, sir; I think it was in 1882. It was after the election; I voted for Governor Cameron. I voted for all that party at that time, the debt issue having been settled; that having been done, all that I sought to obtain, having been done, I could see no reason for remaining longer out of the relations that I had maintained all my life up to the time of this debt question.

Q. Very well, I do not care about pursuing that line of investigation farther. Were you in Danville at or about the time of the riot?—A. Oh, no.

Q. You do not live there, but your son lives there?—A. I live in Richmond.

Q. Were you there at any time during the last summer or fall?—A. No, sir; I was not there until Christmas.

By Mr. VANCE:

Q. About this matter of a tax as a prerequisite to vote. When was that amendment adopted in the constitution requiring the tax to be paid before men could vote?—A. Several years ago. I forget just when. There was a batch of amendments all put in together and that passed, *sub silentio*, as it were.

Q. Do you recollect how many popular votes were cast against that amendment?—A. No, sir; I do not.

Q. Was it not a very small vote?—A. Against which amendment do you mean?

Q. Against the amendment imposing the tax; not the one repealing it.—A. Oh, yes; a very small vote cast against that; but the question would be apt to mislead, and that passed with very slight objection on anybody's part.

Q. What was the vote on the amendment repealing it, if you can recollect?—A. Overwhelming; both parties were in favor of it.

Q. So that it cannot be charged upon the Democratic party fairly that they were unfriendly to the rights of the colored men in regard to that amendment?—A. Oh, not at all, sir.

Q. Was it a party question either in imposing or repealing that tax?—A. Not at all; I voted for imposing the tax, among other things in the constitution, because I thought it would create a school fund; we were told that this imposition of the tax of a dollar would create a school fund, and it was a very good thing; a great many people would pay that money to get their children educated who would not otherwise, and if they refused to let them vote unless they paid we would get that much more. I voted for it, but soon found out my mistake.

Q. The colored people made no opposition to that, did they; many voted for it, or let it go?—A. I do not remember about their vote especially, on that; I do not know what the vote was; I know there was no opposition to it; the argument that I have used was one of very general prevalence; we thought we were helping the cause of education.

WILLIAM C. WICKHAM sworn and examined.

By Mr. VANCE:

Question. Where do you at present reside?—Answer. I live in the county of Hanover, Virginia.

Q. Are you a member of the present legislature of Virginia?—A. I am a member of the Senate.

Q. What counties do you represent?—A. The counties of Hanover and Caroline.

Q. The issues of the late canvass and the methods of conducting the election have been made an issue in this investigation; or have been put in issue rather. Please give us your statement of what the issues were in the last canvass between the parties in Virginia, and how those issues were fought out—whether improper and unusual and unfair means were used by either party, and so on.—A. I should probably commence by saying that my position in the canvass was a peculiar one. I have been since 1865 a Republican. I was requested by a Democratic convention to announce myself a candidate, regarding the issue there as one of State politics, and not at all of national politics. The issue upon which I entered the canvass was upon good State and local government, which I did not think we had under the then organization. The canvass was a very excited one, a very active one. My district I think was regarded as the pivotal district of the State. There was a very heavy contest from the commencement to the end. There was, as there always is in an excited political contest, a great deal of excitement on both sides. My position as a Republican caused me to suppose that I had a right to expect the support of the great mass of the colored vote. I had acted with them; I had protected them in their ballot, and I had protected them in very many ways, from the fall of Richmond to the present time; and I may say before the fall of Richmond, for I was a large slaveholder, and no one was more careful in the protection of his people than I was. I found, though, that it was doubtful whether I could get even a respectable proportion of the colored people.

The fight was made against me in my district, and I do not profess to know anything about the details of the other districts, for my hands were full enough at home to attend to that and that alone. The fight was made upon the color line. They were organized in clubs in every quarter of the two counties. They had regular weekly and nightly meetings at which the most incendiary speeches were made to them, and they were directly informed that if the party with which I was then acting (the party which had asked me to become a candidate, to announce myself a candidate) and myself were successful, that they would be put back into slavery.

By the CHAIRMAN :

Q. Did you hear any declaration of that kind?—A. I did not hear the intimations, because I did not attend their meetings; but I made the charge openly upon the stump, and it was never contradicted, but, on the contrary, voices of colored men, who were my friends, answered, "Those are exactly the statements they have been made to us in the meetings." That is all the information I have upon the point. They were told that we would take away from them education, and that we were their bitter enemies.

Notwithstanding that, I had received a colored vote which was above my majority in the district. I had a large number of employes to whom I never opened my mouth upon the subject, but every single one of them voted for me. And in different parts of the county I had a considerable number of personal friends amongst them who voted for me.

By Mr. VANCE :

Q. You did not make the race issue, did you?—A. On the contrary,

I made speeches that I was astonished that the people would quietly listen to, so earnest were they in favor of the fullest, freest justice in every respect to the colored men.

Q. Now, will you state, if you know such to be the fact, whether or not any strong means, forceful means, socially or otherwise, were brought to bear upon the colored men who did support you?—A. I must answer there just as I did just now to the suggestion of the chairman, that I have no personal knowledge of those things but that I asserted it; I say I think that they were turned out of their churches for it, and I asserted that their wives threatened to throw their clothes out of doors to prevent them from going out, if they voted for me; and it was not contradicted; but, on the contrary, men in the crowd said, "That is so."

Mr. VANCE. I was going to say to you that we have decided in the committee here to admit declarations. When a colored man came and would tell how he had been treated we would admit that. What a Democrat said, on the contrary, was admitted as evidence against the party. That has been the course of our investigation. So that if any colored man told you what was said or done to him, on account of his politics, it is competent for you to relate it.

The WITNESS. I had very little conversation with them. My understanding when I went into this canvass was that I would not attend night meetings, but confine myself simply to public speeches, to a personal canvass of certain portions of the district; so that I could not name the men. Of course some of my workers would come to me and say that such and such was the case. I do know, though, one particular man who was a minister, and had two churches, and got his means of support from the salary which he was paid at those churches. He told me that, whilst he preferred me very much, because he was an old friend of mine, that he could not go to the polls and vote for me, because they would deprive him of his place. That man, though, did send one of his sons, who was in one of these clubs, out of the district so that he could not vote, and he abstained from voting himself, which he regarded as equivalent to a vote for me.

Q. Did you hear any of the speeches of Coalition leaders during the campaign?—A. Yes, sir.

Q. What was the general tenor of their remarks to the colored people?—A. The only speech that I think I heard during the campaign (except from my opponent) on the other side was from Mr. Fowler; I thought that was a most incendiary speech, and a speech that I thought was improper for any man to have made in a mixed audience.

Q. Can you give us some of the sentiments that he uttered?—A. He appealed to the negro for his support to the Readjuster party, or the Coalition party, as their friends against the other party, who would operate to their great injury; he endeavored to impress upon them that there was a difference between the laws for the blacks and the whites, and that that would be made more patent, more decided, if the Democratic party got in; whilst, in fact, exactly similar laws in Virginia operate upon black and white, and there is not the slightest difference in the law in regard to either black or white in the State of Virginia.

Q. Was this Mr. Fowler that you speak of the Coalition speaker of the house of representatives?—A. I. C. Fowler; yes.

Q. He has been before our committee. Since the colored people of Virginia have been admitted to the right of suffrage, has there been any unjust discrimination against them by the laws of Virginia?—A. None whatever.

Q. Has there been any violence and unlawful combination against

them in any way to prevent their voting?—A. I think not. As I was saying, sir, I am a Republican, and of course I have taken especial interest in the vote of the colored people in my immediate county because my attention to politics has been confined almost entirely there, and I will say with perfect truth that I have never heard of a single instance in the county of Hanover where any attempt has been made to intimidate a colored voter by the white men, and I stated that upon the stump.

Q. Have you heard of any attempt to exercise a very unusual and undue influence over the colored people by their employers or where they had been living on their land of threatening to discharge or turn them off. Did you ever hear of anything of that kind?—A. I think not, and it was my interest to watch that.

Q. Yes, certainly, you were on the watch out for anything of that kind.—A. Exactly, and to see that their votes were recorded.

Q. Well, so far as you were able to observe over the State by the newspapers or public complaints or otherwise, are you able to say that the election in Virginia last fall was a fair one?—A. I believe that it was perfectly fair; probably the fairest we have ever had.

Q. Were any colored people in your country intimidated from voting or from the exercise of their rights by the results of the Danville riot?—A. Not a bit.

Q. Did you see at any time of the—— A. And they all voted, mark me, against me, except the number that I told you made my majority. It was the largest vote by far that was ever polled in the two counties or in either of them.

Q. Was it not the largest vote that had ever been polled in the State?—A. I think it was; about that I am not so positive; I think it was, though; but for my own district I know all about. I have had the misfortune to have a good many canvasses, both before the war and since, and I know very thoroughly what their vote is.

Q. Was there anything unusual or improper occurred at the polls that you attended on the day of election?—A. Nothing.

Q. Nothing?—A. Nothing at all. I will state that we anticipated fraud at the election. I did not myself apprehend it, but some of my friends did, and they informed me two nights before the election that they had ascertained——

The CHAIRMAN. Is not that going a little too far?

Mr. VANCE. You need not state what your friends informed you.

The WITNESS. Well, be it as it may, the colored people were present at Ashland at 3 o'clock in the morning to take possession of the polls. I had ascertained that such would be the case, and had directed that the white people should be there an hour in advance of them; but the colored people got there ahead of them, as they very often do when they go to vote; and when I got to the polls before sunrise in the morning, I found 180 odd colored men ranged at the door of the voting place, and some of my friends were very much disgruntled, saying that they would vote these men, then some disturbance raised, and the precinct which ought to give me a large majority would be closed at a time when it would give them the majority. I got on my horse, so that I could see over their heads and called my challenger and asked how it was that we were not voting an open vote. His answer was, "We were polling very rapidly, and there is no danger of our not getting our vote in." I said, "Very well; go ahead, then." These 189 votes were polled with perfect quietness on both sides. As they voted they withdrew, and then our men came up and voted in their turn. But before I had polled a

vote there were 189 votes polled against me at a precinct where I received 140 odd majority.

Q. Although they took possession of the polls and got all their votes in first, they made no disturbance and went off afterwards?—A. No; I never saw a more quiet election in my life; and that was the case, I believe, throughout my whole district, and very much so throughout the State.

Q. I will ask you if you saw any appeals from Coalition headquarters circulated in the papers calling upon colored men to turn out and avenge the murder of their colored brethren in Danville?—A. I do not think I did at that time. I think there was something of the kind in the Norfolk papers; but I didn't see it.

Q. You did not see it at the time?—A. No, sir; I knew nothing of the Danville affair until late on Sunday. I was in the country, and it so happened that I was out line of the railroad. My apprehension when I heard of it was that it would drive my colored vote from me; I knew it would not give me any strength; but it had no effect there one way or the other, and it was very little known. The railroads there transverse the county in two directions, and there was no immediate voting precinct on the railroad, so that the most of the country was away from immediate newspaper information.

Q. As a former slaveholder and a friend of the colored people since their emancipation, and a man of some experience in life, can you give the committee any information as to the real state of feeling or disposition of the whites towards the blacks in Virginia, aside from any of these political heats and fierce contests?—A. My own impression is that the disposition is kindly. I know more, of course, about my own affairs than I do about things outside, which, of course, comes merely by rumor, just as we used to know that such a man was a good master and such a man a bad master, before the war, without knowing the facts; but, so far as my own matters are concerned, I have not a single employé upon my plantation in Hanover who was not born there, or whose wife was not born there, and the relations between us are as kindly as it is possible to be between any people in the world. They look to me for protection, and I look to them for the protection of my family and my property.

Q. So far as you know, is not that feeling that you have towards your colored people, to a great extent, the same that all other former owners of slaves in Virginia had?—A. I think so; that is, speaking simply in the personal relations. That is what I understand your question to be.

Q. Yes. Do you know of any disposition among the former slaveholders anywhere, as manifested by any fact or circumstance, to prevent them from exercising their full rights as citizens of the United States?—A. I know nothing of it.

Q. If such were the case, I suppose as a politician you would have been looking into it—looking out for it, at all events?—A. Unquestionably.

The CHAIRMAN. If I understand you, your relations with your servants—your former slaves and those that are employed by you now—are kindly and friendly?—A. Perfectly.

Q. You had been a member of the Republican party, as you tell us, from the close of the war until this present canvass?—A. No, sir; until to-day.

Q. Until to-day; you claim to be yet, and no doubt you are; I can testify to that myself.—A. And to-morrow.

Q. Now I will ask you this question, whether at the time when you

joined the Republican party the great mass of the white people of Virginia were not what are called Conservatives or Democrats opposed to the Republican party?—A. Unquestionably, and are to-day.

Q. You, then, were rather an exception to the general rule, were you not?—A. Yes, sir; as of native Virginians.

Q. But you were considered as a notable and rare exception to the general disposition of the white people there who joined the Democratic party; you joined the Republican party. Are there any other slaveholders in your county there who are Republicans, except yourself?—A. Oh, yes.

Q. Well, they are very rare?—A. Not very common.

Q. I will ask you, as a rule, whether from the close of the war to this time the mass of the white people have not been opposed to the Republican party?—A. Unquestionably they have. But I don't think that that shows that they are opposed to the negroes at all.

Q. I don't ask that. Let me ask you this question: Was not the Republican party, the party to which you belonged, wasn't that considered the friend of the negro—the party desirous of securing his rights?—A. Politically?

Q. The party that favored the amendments and that offered the amendments which were intended to secure their rights; now, wasn't it natural, and didn't it seem to you natural, that the colored people should join the Republican party—should be members of the Republican party?—A. Unquestionably.

Q. Very well; then you find no fault or no criticism at all to their following the lead of the Republican party?—A. I do not.

Q. And the white people, as a rule, joined the Democratic party?—A. As a rule.

Q. In Virginia, until some special issue like the Readjuster issue, or something of that kind, divided the whites to some extent, that was the natural tendency of political parties there, was it not?—A. That was.

Q. You say that, as a rule, you think the white people of Virginia treat their colored people—their employés—as well as you do?—A. Yes, sir; I think that is the feeling.

Q. But do you know that?—A. I certainly do not know it in every section; but I do know it in my immediate neighborhood.

Q. Now, let me understand a little further. When the Readjuster party was formed, that was founded upon a local question in regard to the debt of Virginia?—A. Yes, sir.

Q. You declined to act with the Readjusters, did you not? You belonged to the Funder party, did you not?—A. No.

Q. I thought you did.—A. I was called a Funder, but I belonged to the Republican party.

Q. I know, but you acted with the Funders on that division, I mean.—A. I opposed what I regarded as repudiation of the debt, but I did it as a Republican.

Q. Very well. The Republicans were divided upon that question somewhat, but mainly they went with the Readjusters?—A. Exactly; a great many of them did.

Q. Well, the great mass of the white people were what were called Funders, were they not?—A. Oh, yes.

Q. The Democrats as a body drifted into the Funding party, and the Republicans as a mass—A. I don't believe the people ever acknowledged the name of Funders, as a party; they called themselves there the Conservative party.

Q. I speak of the common parlance—the Funders and Readjusters?
—A. I think that is a Readjuster parlance—the term of Funder.

Q. Very well. The mass of the Funders, though, joined that party in opposition to the Readjusters?—A. Remained with the Democratic party.

Q. And the mass of the Republicans followed General Mahone in his organization, did they not?—A. I think so.

Q. You, however, differed from the mass of your party on that question. You adhered to the policy of paying the debt?—A. Exactly.

Q. Agreed to the Funding plan?—A. To a certain point.

Q. When was it you were nominated?—A. I was never nominated.

Q. When was it the Democratic party invited you to announce yourself a candidate?—A. Some time in August, last year.

Q. Up to that time you had acted with the Republican party always, did you not?—A. Yes, sir, upon all National questions, I am perfectly free to say, and I think have——

Q. I know, general.—A. That I have voted for a Democratic nominee against a Readjuster candidate.

Q. Yes, I understand that, but up to that time you had been with the Republican party?—A. I am up to this time.

Q. I will ask you if your district was not what is called a black district; the majority of the voters in your district are colored men?—A. No, sir; a small majority of whites.

Q. Pretty closely divided?—A. Very closely; one county has a small majority of blacks, and the other a rather larger majority of whites.

Q. Your county is how far from Richmond?—A. Within 25 or 30 miles.

Q. Near Richmond?—A. Yes, sir.

Q. The whites and blacks about evenly divided?—A. Well, a small majority of whites.

Q. Now, were you not invited to become a candidate against the Coalition on the ground that from your known position as a Republican you would carry a portion of the colored vote; do you not think so?—A. I suppose that that had something to do with it. The idea was that I was the strongest man in my district, and that I probably could carry the election.

Q. Were not the white Democrats or white Conservatives, as they call themselves, divided somewhat as between the policy represented by Mahone and the policy represented by the Funders; were not the whites of your district somewhat divided?—A. Scarcely at all.

Q. They generally followed the Conservative line?—A. Yes, sir; they were against this Coalition party.

Q. It was believed you would be stronger in that district, because, having been a Republican, you would naturally carry the Republicans, too, or some of them?—A. To some extent, and for the further reason that I was a man of very considerable popularity and had been living there all my life, and I think I showed that because I received the united vote of people who were opposed to me on national politics.

Q. But you did carry a portion of the colored vote?—A. Oh, yes.

Q. They were not interfered with, except as you mention, by talks about ostracism, &c. Were they interfered with in any way?—A. They couldn't interfere with a body of 40 or 50, who live in a village of their own, who were unanimous and whose wives were along with them.

Q. I will ask you if that policy of selecting Republicans by the Conservatives was adopted anywhere else except in your case in Virginia?—A. I don't know of one except one in Portsmouth and Mr. Callahan.

Q. I don't speak of that; I speak of that particular election. Your case was peculiar—of a Republican selected by the Democrats as a candidate?—A. Yes, sir; I was the only Republican in the Senate; but I am afraid it was because they did not have the same confidence in the other Republicans that they did in me.

Q. You mean the Democrats?—A. Yes, sir; the Democrats.

Q. The Democrats did not have the same confidence; that may be, but they nominated you because they could not get a portion of these colored votes?—A. No, sir; because they were perfectly willing to trust me upon matters of State policy and believed that I could be elected.

Q. Do you not believe that if the Democrats themselves would disregard the color line they would divide the colored people there? Do you not believe that if the Democrats should themselves disregard the color line that they would divide the colored people of the State of Virginia and get a portion of them, as they did in your case?—A. I don't know that I just know the force of your question there, but I think—

Q. Well, I will come to it in another way. Is there not a strong feeling and instinct among the colored people that their rights are not safe in the hands of what is called the Democratic party? I ask that question, whether that is not the feeling?—A. I think that is the feeling; but I think it is proper I should say I think that is a feeling brought about by false teachings of designing men.

Q. Let that be so; but that is the feeling among these colored people as a mass?—A. It is.

Q. That the Democrats cannot be trusted with their rights?—A. It is more a feeling that the Republicans are more liberal to them than the Democrats would be.

Q. Now, don't you believe that if the Democratic party would convince the colored people that the rights of the colored people can be secure under the control and management of the Democratic party that that would divide the colored people, and cause some of them to vote with the Democrats?—A. Unquestionably. I think that if that could be proven that it would; but it would be the most difficult thing upon the face of God Almighty's earth to prove it to them, when you have a parcel of men; when they vote solidly one way, telling them all the time that such was not the case. Now the laws are identical for white and black in the State of Virginia; there can be no discrimination under the law between the white and black. Exactly the same law protects his property and protects his person.

Q. Then why should not the Democrats vote with the Republicans, if there is no issue of that kind; why should they not break down the color line themselves and vote with the Republicans and divide up themselves?—A. For the simple reason just now—if you want to go back with that—that is just exactly what I have been working for since 1865.

Q. But you have failed, haven't you?—A. I have failed, but I would have succeeded in 1880 when I was tripped up, and when they defeated the Garfield ticket in Virginia by endeavoring to draw the Republicans off, and demoralizing to a considerable extent a very considerable portion of them over to the Readjuster Hancock and English ticket. The desire of my life is to divide the white people and the black people in the State of Virginia politically, and I believe it would be most fortunate for both races if that could be done. Unquestionably the negro would be a thousand times better off, because he would have each side endeavoring to give him something more to draw them over to his side.

Q. Now, is it not a fact that the white men of Virginia, although they

may divide for a day or two, or two or three years, as they did upon the debt question, yet after that is over they go right back to the color line—the white men?—A. I don't think so.

Q. Did not a great body of the Readjusters who voted the Readjuster ticket when the Coalition movement was formed and the debt question was settled, didn't they go back to their old conservative line?—A. I suppose some of them did.

Q. Did not the great body of them?—A. In my own county we were so fortunate as to have a very small portion of that element that became Readjusters.

Q. Did not most of them follow the course of Mr. Ruffin, just examined here?—A. A large number did.

Q. Since this question was settled they went right back to their old line?—A. A considerable number did.

Q. And in that way they prevented anything like a division of the colored people?—A. No, sir; I didn't know ———

Q. Let me ask you another question. You say your relations with the colored people are kindly, and no doubt that it is true; but do you not know it is the common habit in Virginia, especially among the young men, to be insolent, to be calling them low-lived "niggers," and mean slush, &c.?—A. I don't think so.

Q. Don't you know that is so?—A. I do not.

Q. We have had a great deal of it here.—A. I don't know anything about it; I never called a servant a slave; my slaves were servants.

Q. You don't think that is the common habit among the younger men?—A. No, sir.

Q. Your habit of course is that of a gentleman.—A. In my immediate neighborhood we have certainly from eight to ten negroes to one white man, and the feeling between us is perfect; we could not have anything of the kind you know and get on.

Q. That is, the instinct of the gentleman would be not to insult an inferior?—A. Certainly.

Q. But is it not a common habit among the poorer classes of the white people to continually treat with contempt and ignominy the colored people?—A. Well, I can't say that I am familiar enough with them to be aware of anything of that kind. I think there is more contempt upon the part of the negro for the poor white man than there is upon the part of the poor white man for the negro.

Q. Well, one contempt begets another, but is not that a common way to address them, calling them "nigger" and "trash."—A. Take out the excitement of a political canvass, and in my immediate county nothing can exceed the kindly feelings between the whites and blacks.

Q. And you succeeded in dividing the colored people by your canvass to some extent?—A. To some extent, but not as much as I have done, by a great deal, in other cases.

Q. Wasn't that because you were almost a solitary instance of a man occupying your position going there and accepting a nomination, or accepting the invitation of the Democratic party, and was it not because your position was peculiar, and the colored people thought, perhaps, you being in the minority, were wrong in your course, and that they were right in following their leaders?—A. Well, perhaps so, but I attribute it to other reasons than believing they were entirely wrong, but to the fact that the patronage has been dispensed.

Q. Now, that has something to do with it; no doubt that is true, or State and local patronage would have no influence among negroes, but has some influence among white men too!—A. Unquestionably it has.

By Mr. VANCE:

Q. I want to ask you a question, if you please, about the use of this term "nigger." I want to ask you if that is not simply a vulgar, uneducated way of saying negro, and if all men who use the term "nigger," without giving it the proper pronunciation—negro—if all such use it as contemptuous or just from habit?—A. Certainly not; they very often call themselves "niggers," you know, in addressing one another. There is nothing in the world more common than to hear them say "Go away from here, you nigger you" among the servants.

Q. It is more habit than disrespect?—A. Oh, no; it is the want of education that causes anyone to speak of the negro as a nigger."

Q. You were asked something about the race issue in the State; can you say who is to blame for raising that race issue in the State, whether the Coalition party or Democratic?—A. My own impression is that it is the Coalition party. The Coalition party has endeavored to weld the negroes together and use him as an engine to put their people in power. I think they have done it by deceiving the poor creatures "up to the very top of their bent," and I think they have had most unfortunate backing.

Q. Well, as far as you know, I will ask you if it is not the policy, or would not be if there was any chance to carry it out, of the Democrats to divide the colored people on politics?—A. I think so; that is, I should think it would be. Of course, I am not here to speak of what the purposes or of what the policy of the Democratic party is.

Q. Of course not, except so far as known to you.—A. But I hope to see the day in the State of Virginia to carry the Republican flag to the front, with the great mass of the white people with it; but I can't do it as long as they bolster up the fellows they have got there now.

Q. I will ask you a general question, which, I suppose, you will have less difficulty in answering: would the whites be so nearly banded together if the blacks were not so nearly banded together—if the one does not force the other, naturally?—A. I think so; I think that if we could once get a division of the blacks we could at once bring about a very considerable division of the whites.

Q. Exactly.—A. And there is no question but that the black men would be far better off if they were divided so that they would have each party trying to convince the colored men who were with the other side that it was for their interest to go over to them, by legislation which would be fair and broad and liberal.

Q. I thank you for that answer. I was going to put the question, that if the colored people divided like other people, upon sentiment, and not upon nationality or race, and a large number of blacks were with the Democrats, if the Democrats would not naturally cease to denounce the negro or to fight against him, out of respect for his associates of that color who were in their ranks?—A. Of course they would.

Q. And would it not promote materially the interests of the black race if that were the case?—A. I think so. My own rule—I don't know that it is exactly in order to go back, but soon after the war I had a very full conversation with Mr. John M. Botts upon that subject, and his idea was that the negroes could be kept together, and that the white men, of whom he thought he was to be one—a man of his stripe, and he was entitled to be one—would shape the policy. I told him he was mistaken; that he could not keep them together; that they must divide; that all their interests would cause them to divide just exactly as white men used to divide between Whigs and Democrats. One precinct in my county would be Democratic, because it so happened that the leading men and influences there were Democratic. Another precinct in which

it happened that the leading men—instincts and inclinations—were Whig, would be all Whig, and they were divided up, and my idea was that the negro would act just exactly as the white men did, and that their interest would be and their votes would be changed according exactly to their locality and circumstances, and that that was to the interest alike to their race and of the whole country; because I say here that it is perfectly absurd to suppose that there can be prosperity in any State in which the people are divided by race and hostile to each other. It is absolutely essential for the welfare of them both; and I state further that I asserted that upon the stump, and it met the universal applause and assent of the white people in my district.

Q. Do you know of any other prominent members of your party who shared your sentiments in that respect, in Virginia; any of your contemporaries who shared those sentiments of yours?—A. In respect to the necessity of having the colored men and the white men friendly?

Q. Yes, and dividing on political issues instead of race issues and so on?—A. I think so, I don't know. The fact is we have not got many white men there Republicans; but I think Mr. Rives entertains that opinion.

Q. Does Mr. Stearns entertain that opinion?—A. Mr. Stearns entertains that feeling.

Q. Mr. Lewis?—A. I am not so familiar with Mr. Lewis's opinions, but he is a man of very fair sense, and I don't think a man of fair sense can think otherwise.

Q. Was there any of this bitter, intense race feeling in Virginia elections until recently; until the Coalition party took charge of the colored people?—A. I think there was a good deal of it soon after the war.

Q. That was when the colored people were first admitted to the right of suffrage?—A. When they were first admitted to the right of suffrage and when they were being led by a lot of men who had no interest in common with us, and who endeavored to array them against us; endeavored to teach them that the white people were their enemies.

Q. Has that feeling declined to some extent?—A. I think very much so.

Q. But it was revived after the Coalitionists took charge of the colored people?—A. That is my impression.

By the CHAIRMAN:

Q. You have told Governor Vance, very truly and correctly no doubt, that if the colored people would divide without regard to color line among the two parties it would be greatly to their benefit; I will ask you whether it would not be greatly to the benefit of the white people if they would divide; do as you did; divide between the Conservative and Republican parties; would not it be better for them?—A. I think so, provided that a respectable portion—I mean by a respectable portion of these white people, men of character—gain the ascendancy; but I don't think it would be desirable for them to divide, and one-half go over to the colored forces led by what I call designing men, and leave the other half off by themselves. I think that would be a very unfortunate state of division.

Q. You would not want all the respectable men to be on one side?—A. No.

Q. But suppose the white men of Virginia had followed your example?—A. The white men?

Q. Yes, and had divided off and some gone to the Republicans and

some to the Conservatives, just as they felt, as the tendency of the two parties, don't you think that would have broken down the race line and been better for Virginia and the white men of Virginia?—A. It is very difficult to say that; to say that is to say that my position is just exactly what it ought to have been.

Q. In other words, you have given us your own example as your answer to that question?—A. Yes, sir. I will say this, that at the time of the evacuation of Richmond, and soon after that, our people could have shaped the policy of the Government in regard to the Southern States if we had done it, but my friend whom I see over the way (Mr. Goode) differed on that point, I take it, just as honestly as I did; but, as I believe he now admits, I did honestly take it.

Q. I will ask you this question, whether, as a matter of ethics, the white men being admitted to be the most intelligent class of people, whether it was not more their duty to yield to this manifest policy than the black people, who were more ignorant, less educated?—A. Well, I don't know about that; a good many things go in with that; it would not do for those people to try the experiment to-day. Suppose one-half of this Democratic party and one-half of the Republican party went over to this Coalition party.

Q. I don't speak of the Coalition, but forming lines on the basis of the Republican and Democratic parties?—A. You have got to view it with the fact of the surroundings. It would be unsafe for one-half of the Democratic party—I take this now as a mere theory—of the Democratic party to go over to the party which controls the mass of the ignorant population, which held their votes, and in that way silences the more intelligent portion of the community which had joined it, by shaping the policy of the party.

Q. But if the division was mutual; if one-half of the white people had gone over with you when you joined the Republican party, don't you think all the race issue would have been lost sight of?—A. I think so.

Q. That is the question I ask, whether if the white people had from the beginning recognized things as having been settled by the constitutional amendment, had gone in then for a division of the whites and blacks, would they not naturally have won over some of the blacks, and some of the whites would have gone over with you, and in that way broken down the color line?—A. I believe so. I believe, for instance, you Republicans would have been much more liberal than you are inclined to be. I think I could have come to you and said, we were entitled to such and such things and you would be more liberal. When I say "you," I don't mean you personally, but I mean the Republican party.

CORNELIUS WARROCK (colored) sworn and examined.

By Mr. VANCE :

Question. Where do you live?—Answer. I live in Lynchburg.

Q. How long have you lived there?—A. I was born there July 30, 1818.

Q. What politics do you profess?—A. I am a Democrat.

Q. Why did you become a Democrat, being a colored man?

The CHAIRMAN. That is rather a broad question, Governor; I don't think it is exactly pertinent.

The WITNESS. What caused me to change my politics was—I was raised in Virginia—was on account of mass meetings that would insist

on nominating low-down men who were not as competent as we were ourselves, and we were not competent ourselves; that is our fault, though.

Q. What is the general treatment of the white people where you live toward colored people who vote the Republican ticket? Is there any interference by the white people with the colored people in their right to vote as they please?—A. There is not, but there is a great deal on the part of the colored people if they choose to vote the Democratic ticket.

Q. Do you know of any instance where the colored people have interfered with one another who wanted to vote the Democratic ticket?—A. Yes, sir; my nose has been pulled because I was voting it.

Q. Your nose has been pulled because you voted the Democratic ticket?—A. Yes, sir.

Q. Who did that?—A. It was did by both women and men.

Q. Colored?—A. Yes, sir. Women, of course, don't vote, but have as much to do with politics, almost as much, with the exception of voting, as the men.

Q. They pulled your nose?—A. Yes, sir.

Q. Has that been done more than once?—A. Yes, sir; it has been done more than once, and for a short time after the election—for a few weeks before the election and after the election—I would not have went out of the corporate limits for \$500 after 8 or 9 o'clock

Q. Would not have gone out of your house?—A. Would not have gone out of the limits of the corporation. I did go out to church sometimes, but not generally.

Q. You had to be very careful?—A. Yes, indeed.

Q. Did any of them make threats of violence?—A. They did.

Q. Give the names and times as well as you can.—A. Well, you remember when Dawson ran as a candidate, don't you?

Q. No, sir; I don't remember it; I didn't live there.—A. That was when Mr. Massey and Mr. Dawson were candidates in 1882.

Q. Yes.—A. There was a man by the name of William Muir, a man by the name of Thomas Johnson—

Q. Colored men?—A. Yes, sir; they created a riot at that time, and notified me they were coming down there to get us, and I informed the authorities when I got there, which they did come down there afterwards and did it.

Q. What did they do?—A. He told me he intended, "I intend to kill that man"—the man by the name of William Muir. I will say right here that I don't intend to state anything but facts. Mr. William Muir and a man by the name of Tom Johnson. William Merchant, who was at a meeting; we had to lay very low. There was 398 colored men who voted, they say, the Conservative ticket, and I am certain that I don't know 60 of them.

Q. Repeat that, please.—A. I say there was 398 at one time that voted what they call the Conservative ticket, which is the Democratic ticket, but I don't know 60 of them. Very few of them has the moral courage to come out and do it.

Q. Well, it requires some physical courage as well as moral courage, don't it?—A. It does.

Q. To come out and avow it?—A. Yes, sir.

Q. Now, in addition to those threats of violence that are used towards colored men for voting the Democratic ticket, I will ask you if it makes any difference with them in their social relations in visiting and all that kind of thing?—A. It does.

Q. What difference does it make?—A. It makes this much difference,

that among both women and men I have no association, simply because I think I am doing for the best, and yet all the colored people as a general thing—there are nine out of ten that were intimate friends of mine before—do not respect me now any more than I was a dog.

Q. Do not visit you and will not let you visit them?—A. No, sir.

Q. Nor associate with you?—A. No, sir.

Q. How do the women treat you?—A. The women is just as bad as the men; both men, women, and children is that way.

Q. Who was Dawson you spoke of—candidate at-large—was he a colored man?—A. Yes, sir; a colored man; a straight-out Republican.

Q. Straight-out Republican?—A. Yes, sir; nominated by the Republicans. I have always been uncompromisingly radical until the last five or six years.

Q. Were you for Dawson?—A. No, sir.

Q. But up to the last five or six years you had been uncompromisingly radical?—A. Yes, sir.

Q. You mean Republicans, I suppose; that is what they are called down there?—A. That is what I mean.

Q. Have any of you who vote the Democratic ticket any trouble in your church relations?—A. They do.

Q. Relate about that.—A. Well, I was threatened with being turned out of the Court-street Baptist Church—the finest colored church is called the Court-street Baptist on account of being built on Court street. It is called the Court-street Baptist Church. I would have been turned out, but I told them I dared them to do it; that the Constitution had guaranteed to protect everybody in the right of religion and everything of that sort, and for that reason that when you did it, you do it against the law; and when you get ready for that, I says, I will be found to appeal to the authorities, not only in Lynchburg, but in Washington, to know whether the church is going to take my religious liberty away from me. They did deal with some, but they didn't deal with me.

Q. They threatened to turn you out of the church for voting the Democratic ticket?—A. Yes, sir.

Q. And you reminded them that you were protected by the Constitution in your religious liberties, and everything of that sort?—A. Yes, sir.

Q. And they did not turn you out?—A. No, sir; they did not deal with me but they dealt with some of them; they were going to deal with me also, but on account of my —

Q. Did they turn any others out?—A. No, sir; they begged pardon and forgive.

Q. They begged pardon and asked forgiveness?—A. Yes, sir.

Q. Did your church have anything against you except that you were a Democrat?—A. Nothing but that.

Q. No charges against your character?—A. No, sir.

Q. And those others begged pardon and were restored to full fellowship?—A. Only one that did; that one begged pardon.

Q. Promised never to do so any more?—A. Yes, sir; his name is William Bryan, and he is in a store there; I expect to state nothing but facts, because every word I say I expect all my people to see it.

Q. That is right, of course; you say you have known no interference with the rights of the colored people to vote as they please on the part of the white people?—A. No, sir; I never have; all that I have known interfere with the right of voting is on the part of our own people.

Q. Is on the part of your own people?—A. Yes, sir.

Q. Do you know of any other churches that have ruled out the members for voting the Democratic ticket besides yourself?—A. No, sir; I don't. I am only telling you what I know. I am not here to tell hearsays. I have heard of it, but don't know.

The CHAIRMAN. I wish simply to note my objection to testimony of this character in respect to communities so remote from Danville as Lynchburg. It seems to me that to go into this kind of testimony all over the State of Virginia would be far beyond the limit or scope of this investigation. I do not care to cross-examine the witness.

Mr. VANCE. We have had a witness on your side from that very county.

The CHAIRMAN. To show the effect of the Danville circular. That I think is very different. However, I don't care about it. I do not object to your putting it upon the record, though I do not know what the conduct of the people of Lynchburg has to do with this matter.

Q. How far is Lynchburg from Danville?—A. It is about 60 or 70 miles.

B. F. WHEATLEY sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live about half a mile outside of the corporation of Danville.

Q. How long have you lived in Danville?—A. Between eight and nine years.

Q. Are you a native there of that country?—A. No, sir.

Q. Where are you from?—A. I am a native of England, but I have lived between forty and fifty years in the State of Ohio.

Q. What are your politics?—A. I claim to be a Republican, but at the election I have voted the Conservative ticket at Danville.

Q. You claim to be a Republican in national politics?—A. Yes, sir; I have always voted that ticket.

Q. But about Danville you have always voted the local Democratic ticket?—A. Yes, sir; but for President I voted the Republican ticket.

Q. What were your politics in Ohio?—A. Republican.

Q. Did you ever vote for Senator Sherman over there?—A. I think I have.

Q. Did you notice any unusual or rude conduct on the part of colored people in Danville a while before the riot?—A. Yes, sir, and since then.

Q. What evidence of it can you give us?—A. Well, the most recent, I was coming down street last night, between 9 and 10 o'clock. There were, I think, five negroes walking abreast on the sidewalk, and I had to step aside to let them pass by.

Q. Well, anything before the riot, now, is what we want, mainly.—A. Well, sir, I could relate several instances of it. I have had them walk up behind me, and three or four of them walking up behind, step on my heels and repeat it. I would look at them and they would walk up again.

Q. In walking on the streets you have had them to walk up behind you and tread upon your heels?—A. Yes, sir.

Q. Purposely, or accidentally?—A. I think purposely.

Q. Would they repeat it?—A. Yes, sir.

Q. Any other instances of rudeness?—A. Yes, sir. About not quite two years ago one pushed another one against me and broke my arm in the market.

Q. In the market?—A. Yes, sir; on Saturday evening. I was stand-

ing talking with a colored carpenter who done some work for me, and these two fellows were standing at my side. One of them stood with his elbow up this way [indicating], the other one pushed him against me and his elbow struck my arm here and cracked the bone.

Q. Did you say anything to him about it?—A. Yes, sir; I asked him what he was doing, and he said he was fooling, and I told him that he mustn't fool like that with me. He said, "What are you going to do about it?" I said, "If you don't behave better, I will call a policeman." He said, "Well, call one. If you want to get into a fuss I am ready for you." That was about twenty months ago.

Q. What is your occupation?—A. I am a farmer at present. I used to be surveyor and engineer.

Q. Did you have much to do with the market there?—A. Yes, sir; I marketed there, fruit and vegetables, for about four or five years.

Q. You mean you sold them in the market, not bought them?—A. Yes, sir.

Q. Do you know anything of the condition of that market in the last few months before the riot?—A. Well, sir, for a few months before I was confined to my room. I got out, I think, in August, and from that time to the present I have known something of it. Of course, previous to my sickness I was acquainted with the market from the time I went there.

Q. What kind of a place was it, and how was it kept?—A. It never was a very nice market in my estimation, some places. It was rather bad sometimes.

Q. What was the order kept there?—A. Well, so far as I know, aside from this matter that I spoke of, the market was well enough.

Q. Did any disreputable characters frequent there?—A. Well, I don't know personally, but I should judge that there were some disreputable women that roomed in the vicinity.

Q. What can you say about the colored people in that country enjoying all the rights the law entitles them to; do you think they have been permitted to do so?—A. Yes, sir; I think so. I never have known anything to the contrary.

Q. Do they enjoy them to the same extent that they did in Ohio when you lived there?—A. There is not many colored people lived where I was.

Q. Not many where you were?—A. Not many. I don't think I ever knew more than three or four there, but, so far as I know, they enjoy the rights and privileges in Danville that I do, and sometimes more.

Q. Sometimes a few more?—A. Yes, sir.

Q. How was it generally on election days; were they interrupted on days of election, or anything of the kind?—A. No, sir; the interruption, if anything, would be on the other side. I sometimes would be in trouble to get up to vote—was last fall. Captain Walters and other old gentlemen like myself had to wait around there about an hour to get a chance to vote.

Q. Where did you vote?—A. Wimbish's.

Q. Wimbish's precinct?—A. Wimbish's store.

Q. You say you had a great deal of trouble to get up to vote?—A. Yes, sir; and one time I went in the morning. I could not get up, and I had business on the farm that required me to go up, so I went up again in the evening, and before I could get my vote in—no one tried to prevent me, further than the crowd of colored people, so that I could not get up to the window.

Q. Were those who crowded around the polls waiting to vote, or had

they voted and standing in the way?—A. I think they had voted. At any rate, the crowd was there that night when I went up there.

By the CHAIRMAN:

Q. You say that the market was not in very good order before you were sick last summer; had been in about the same condition for some years?—A. Well, I should think pretty much the same thing; perhaps there might be this difference, there were more colored people occupied stalls and stands.

Q. But about the same condition. How long have you lived there near Danville?—A. I have lived there between eight and nine years.

Q. Well, is it about the same since the election; how is it now?—A. I do not see much difference.

Q. You don't see any difference?—A. There are some very respectable men that have stands on the market.

Q. It is not what you would call a first-class market?—A. No, sir.

Q. But it is about the same as it has been in Danville for eight or nine years?—A. Well, I should think it is not much different.

Q. You say there were bad women; is not that apt to be so? Bad women must be maintained and eat; would not you let them go and get something to eat?—A. Oh, yes.

Q. That is common in every market, don't you think it is? You have bad women in Danville, I suppose?—A. Oh, yes; plenty of them. I suppose those that Governor Vance referred to was having rooms there over the stalls.

Q. Yes; they were living about the town?—A. Yes, sir.

Q. The only trouble you had about voting was you had to wait your turn?—A. Not altogether, sometimes I had to wait longer.

Q. Did you have any more trouble in voting in Danville than you did in Ohio?—A. I had no trouble there about getting up.

Q. There were more voters there, I suppose, at this place where you voted. How many voters were there?—A. I don't know the number; it was quite a large precinct.

Q. Still you voted?—A. Oh; I have always voted when I set out to.

Q. How long ago was that rudeness by those two colored men at the time they hurt your arm?—A. I should think that is about twenty or twenty-two months ago; a year ago this last summer.

Q. Was that before the election of Mayor Johnston?—A. It was soon after, I think.

Q. Soon after he was elected; a little more than a year ago?—A. It was a year ago last summer.

Q. Did you complain to the police?—A. No, sir.

Q. You made no complaint about it?—A. No, sir.

Q. You thought it was an act of rude men—no worse than if it had been done by white men was it?—A. I don't know that the act was worse.

Q. But you would notice a rudeness quicker on the part of a negro than a white man?—A. I think if a white man had done it I would have prosecuted him.

Q. But you would notice a rudeness quicker on the part of a negro than a white man?—A. No, I don't know as I would.

Q. What county did you live in in Ohio?—A. Medina. I lived in Summit, too, but lived in Medina for thirty-two years.

Q. Well, I can only say that I wish they had 2,000 such men as you down there; they are good farmers where you come from.—A. I wish they had 2,000 better.

CHARLES J. ANDERSON sworn and examined.

By Mr. VANCE :

Question. Where do you live?—Answer. In Richmond, Va.

Q. Have you been long a resident there?—A. About thirty-five years, as well as I know.

Q. That is to say, I suppose, all your life?—A. I was born and raised there.

Q. What business do you follow?—A. I am in the carpet business; carpet and general upholstering.

Q. The matter that I have asked you to testify about is concerning the treatment of a colored club in the city of Richmond, in a procession, a few days after the last election. Did you know anything of it?—A. I was present during that procession as an aid to the chief marshal, and a portion of my duty was to ride along the line to see that the various clubs were well closed up, and to preserve general order. I did that to the best of my ability along the lower streets, and I noticed a colored club which I was told was from Charlotte County, near Danville. This procession lasted about two hours. I had seen no special evidence of disorder more than usually attends a torchlight procession, and was about to turn my horse to ride home when I saw a group congregated—police—at the corner of Broad and Eleventh streets, just below the engine-house. I stopped a moment to see what was the matter, and during that interval I heard some one address a remark to one of the policemen, and said something about some people being in the engine-house, and they all galloped up there to see what it was; and I found a large crowd in front of that house, and then learned from the sergeant in charge of the mounted police that there was a colored club there from Charlotte that was in the procession that had been attacked all along the street with stones and brickbats thrown after them, and they had been put in this place for safety from the people of their own color. We pressed the crowd back. It became necessary to take the club to the station soon afterwards, and I put myself to the head of this detail of mounted police, and we escorted these colored people to the station-house, where we could feed them—wanted to treat them as well as we could. I saw no stones on this part of the route, for the reason that the mounted escort closed around them very carefully so as to protect them, and we kept in the middle of the street on purpose, and the night was a very pretty one, a bright moonlight night, and it was this that prevented them from being attacked as they had been before. When we got to the police station I questioned a good many of these people very carefully. They had on some kind of regalia, probably a red scarf, or red caps, or something like that, and I questioned several of them, and one man in particular, who had been used pretty bad, had been knocked down by a stone or brickbat hitting him on the cheek or temple bone. That was not the only one. I saw another; said he was struck in the stomach; another on the arm. Of course his arm was not broken; it was hurt. And after that I conferred with the sergeant of police, who said he would furnish them with a sufficient escort to take them to the train. They left about two hours later. It was then about 11 o'clock. I then left them. That is about all I know of it.

Q. Did these wounded men say who had thrown the stones, as to whether they were whites or blacks?—A. No, I cannot say that they did so; I cannot remember about that; of course the general impression was——

Q. Well, that is not evidence; they did not tell you who threw the

stones at them?—A. No, they did not tell me; but I know the police caught a couple of negroes there who did throw the stones.

Q. Were they convicted of it?—A. That is a matter of evidence before the police court; I am sure that they were, but I don't know of my own knowledge; it is a matter of record also.

Q. The men who were arrested for throwing stones were colored men?—A. They were all colored men, and stones were found on them—stones and razors; I do not mean to say that stones and razors were found on each of them, but arms of that description.

Q. Found on the arrested men?—A. Found on the arrested men. Some were let off easily; some were fined \$10, I think.

Q. Do you have any knowledge or information as to how the colored people treat any one of their number who votes the Democratic ticket in Richmond?—A. Well, it is understood that there——

The CHAIRMAN. That is going too far; you tell what you know about it.—A. I can detail a conversation I had with the chief of police some time ago.

The CHAIRMAN. Well, the chief of police ought to be brought here.

Mr. VANCE. According to the rule we have here that would not be evidence; if any colored man told you himself, we would admit it.

The WITNESS. I cannot recollect; I have not thought of this matter at all; I know instances, but they do not occur to me this moment. I know it to be a fact that a colored man voting the Democratic ticket there is in a very bad way among his friends—people of his color.

Q. Do you know anything of the treatment of a colored man named Dungee?—A. Yes, sir; I know that a colored man told me his house was guarded for some time upon the supposition that he was a Conservative, or voted the Conservative ticket. That has been several years. I do not pretend to say how long since. Dungee was a colored minister. I suppose that is the man you refer to?

Q. Yes. I have seen it stated in the papers, an allegation that a colored man who voted the Democratic ticket was permitted to die by himself, and was buried by the white people; did that come within your knowledge?—A. I know nothing of that of my own knowledge. It has been spoken of as a matter of fact, but I don't know it of my own knowledge.

Q. What is the disposition of the white people toward the colored people generally there, aside from these political contests?—A. The disposition?

Q. Kindly or otherwise?—A. Altogether kindly. It seems to be very much more cordial on the part of the whites to the blacks than from the blacks to the whites. It has always struck me that way. I am somewhat interested in these matters without having taken any part in city politics or anything like that. It is a matter of interest to read and hear others talk about, and I think it is the disposition with our people to treat them just as kindly as is possible to a race who occupies the position of a servile race, who certainly would not have got any higher in the social scale than that. I think it is as cordial as it could possibly be. I can only give you an instance. I have had the last two years two old servants to die, that is, my father's servants they were, and I not only went to them and cared for them when they were sick, but helped bury them when they were dead. One of those cases has happened within the last two months.

Q. Now, do the politics of the colored people have anything to do with that kind feeling of former owners of slaves towards the colored people, or are they just as kind to those who vote the Republican ticket as to

those who vote the Democratic ticket?—A. Oh, politics has nothing to do with it, because we know they are all of one political faith.

Q. That is almost unanimous, is it not?—A. With very rare exceptions.

Q. What do you suppose is the per cent. of colored people in Richmond who vote the Democratic ticket?—A. I could not give you an intelligent answer to that, it is so very small.

Q. Do you think it amounts to 1 per cent.?—A. Well, it would not amount to over that. I understood that there are about sixty people in this colored club from Charlotte. I think we have no colored Democratic club in Richmond. We have isolated instances.

Q. I believe I have asked you if you know whether there was any social ostracism among them on account of politics?—A. Yes, sir; you asked the question, perhaps not in that shape.

Q. What kind of an election did you have in Richmond the last time, quiet or otherwise?—A. The streets were perfectly quiet. It was the quietest and most—well, there was a calm about it which was wonderful under the circumstances under which we labor—the excitement under which we labored beforehand, I mean. I think the people there were determined that even they would not resent that stoning which happened afterwards. I think that the same spirit was abroad then throughout the city. I think they were determined there should be no disturbance whatever except in actual self-defense.

Q. Wasn't it considered the policy of the Democratic party to avoid any collision?—A. I couldn't tell you as to the policy of the party. It struck me that was the policy of the individual members of the party; some exceptions, of course.

Q. Well, so far as you knew?—A. Yes, sir; so far as I know.

Q. There was no interference with the right of the colored people to vote on the day of the election, was there?—A. None whatever. I never heard of an instance, never saw an instance.

Q. Did they poll their usual strength?—A. I think both parties polled a larger vote than usual.

Q. Both parties increased?—A. I know that the white people did, because men of my acquaintance stood in line, and old gentlemen, too, from two to four hours to vote, the polls being too small to allow free and easy access.

Q. Was there any complaint that men were not permitted to vote, that you heard of at all?—A. None whatever in any case. There was complaint of crowding at one particular poll, or one particular precinct. The place was not large enough, and many people were there. I do not know what the registered vote was, but the place was not sufficient.

Q. Did the colored people seem to be under any kind of intimidation as the result of the Danville riot?—A. There was none of that apparent to me, nor did I hear anything of it. I think the effect of that had been to discount any trouble that might have been apprehended there or elsewhere, so far as I could know. It struck me that way, and seemed to strike other people.

Mr. VANCE. Mr. Chairman, you can examine the witness.

The CHAIRMAN. All I wish is to enter my objection to the testimony given by Mr. Anderson as having no relevancy to the matter we are called upon to inquire into. It is not connected in any way with the Danville riot, nor the influence of the Danville riot upon the general election. It relates to local matters occurring after the election, or to the state of feeling in Richmond, which has no connection at all with the subject of our inquiry.

The WITNESS. There was a meeting held in Richmond on Sunday—

The CHAIRMAN. Wait until I get through with this. I only wish to enter my protest, not so much on account of Mr. Anderson's testimony, but as a general objection to going beyond the bounds of our inquiry unless in some way it can be connected with the Danville riot and its influence upon the election. Now you can state, Mr. Anderson, what you desire to.

The WITNESS. I was going to state what I considered to be a connecting link in the testimony, and that was in reference to a meeting held at the armory of the First Regiment on Sunday about 3 o'clock—between 2 and 3 o'clock—a meeting held at very short notice. It was attended by anywhere from between 400 and 600 people, all white citizens of the Democratic or Conservative party, and the reason of that meeting was in view of the occurrences there at Danville, in view of that difficulty and trouble that might have went through the State, and not only beseech the white all through the State not only to vote the Conservative or Democratic ticket, but at the same time insist that there should be no trouble of any sort whatever, and asked whites and blacks alike to perfectly govern themselves so as to obviate the necessity of any appeal to arms. That meeting was one of the most solemn meetings I ever saw.

By the CHAIRMAN:

Q. I will ask you whether or not, in your judgment the throwing of the stones, &c., at the colored club has any connection with, or was, in your judgment, the consequence of the riot in Danville?—A. Yes; I think it was, for this reason, that that club was from near the city of Danville. I didn't think so at the moment, because it did not occur to me, but this club came in early that evening, or during the day sometime—probably about midday—and these colored people around about town had heard that the colored club was from there.

Q. Then you think that the throwing of those stones upon the colored club there was in resentment of what occurred at Danville?—A. Not altogether. I don't think that lessened the feeling in their minds toward them.

Q. That is the only connection. I don't care anything about it unless it is connected with the transactions at Danville.—A. I hold in my hand the resolutions adopted at the armory. I think that will explain much better than my testimony could as to the desire for a peaceful election.

The CHAIRMAN. Well, this is subject to the same objection. What the people of Richmond did has no relation at all to the matter; but if the events at Danville had any effect upon the election in any other part of the State it would be proper to show it. I desire to make the objection, that is all.

Mr. VANCE. I desire to say in response to your objection that Mr. Wise was permitted to travel all over the whole State, all the issues of the campaign in every county, and in every direction, and I made the same objection then that you make now.

The CHAIRMAN. My impression is that the general issues of the campaign are proper, and all the events that have any connection directly or indirectly with the Danville matter, the forming of the race issue, those questions, every event that might lead or be connected with the events of Danville directly or remotely would be in evidence, but I do not see how the transaction in Richmond after the election was over, admitting it to be true that this colored company were stoned unlaw-

fully and improperly, what it has to do with the transaction we are called upon to investigate. However, I have not sought to exclude it, but it goes into the testimony simply with my objection, and I do it more for the purpose of preventing the extension of this investigation beyond boundaries, because, while we want to take all the testimony that is reasonable, I do not want to spend unnecessary time, which I have no doubt we have done from the beginning.

Mr. VANCE. I will ask to have these resolutions inserted. They have been alluded to; they were passed before the election, and relate directly to the Danville riot.

The CHAIRMAN. I have no objection to these resolutions being inserted.

(The resolutions are as follows:)

RICHMOND'S SYMPATHY WITH DANVILLE—MEETING OF CITIZENS AT THE ARMORY
SUNDAY EVENING.

Sunday evening at half-past 4 o'clock a large and enthusiastic mass-meeting of white citizens was held in the First Regiment Armory to express their sympathy with their brethren in Danville. On motion, Colonel John B. Purcell was called to the chair.

Colonel Purcell, upon calling the meeting to order, said: "I am profoundly sensible of the importance of the subject which brings together so large a number of our best citizens. It is eminently proper that we should express our sympathy with our brethren of Danville, and this solemn day but adds its solemnity and dignity to the occasion. This is not the time for speeches, and I think I voice the sentiment of this meeting when I say its object is only to pass resolutions of sympathy with the white people of Danville, to express our belief in the truth of their statement of their present condition, and to place before the world where the responsibility belongs for the blood which has been shed."

Mr. H. M. Smith offered the following preamble and resolutions:

Whereas reliable information did reach this city on Saturday night that a conflict between the white and black races took place in Danville on yesterday afternoon, the result, as we believe, of a conspiracy to force the race issue upon the white people in the present political canvass; and whereas the white citizens of Danville did lately address an appeal to their race in certain portions of Virginia, setting forth the grievances under which they labor in consequence of this conspiracy; and whereas the veracity of that address has been questioned by General William Mahone in a paper lately published in the Richmond Whig; therefore be it

Resolved by the citizens of Richmond in public meeting assembled, (1.) That in the conflict which took place in Danville yesterday the white men of this city sympathize fully and cordially with their own race.

(2.) That they have the fullest confidence in the truthfulness of the address written, signed, and circulated by certain leading citizens of Danville, with all of whom one or more of us are personally well acquainted.

(3.) That whenever or wherever this conflict shall take place in the State of Virginia all white men are affectionately, earnestly, and solemnly entreated to take the part of their own race.

(4.) That the whole history of Virginia, up to and including the present time, shows that they have never raised the race issue, but that in every case it has been forced upon the white men against their protest and in an offensive form.

(5.) That in this particular canvass the race issue has been deliberately forced upon the white men, and its irritation planned and sedulously cultivated by William Mahone and his co-conspirators for their own wicked and selfish ends; and that upon their heads must rest all the responsibility for the blood that may be shed or spilled by men who are driven to the conflict in the best interest of civilization.

On motion, the resolutions were unanimously adopted. They were at once telegraphed to Danville.

The meeting, the proceedings of which were very orderly and marked by a dignity and decorum worthy the day and the emergency of the occasion, then adjourned.

Dr. L. W. LAMBERT sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I am for the present re-

siding in the city of Washington, but up to about two weeks ago resided at Lynchburg, county of Campbell, State of Virginia.

Q. Were you in Lynchburg at the last election?—A. Yes, sir; I have lived there continuously for the last thirty years; was born and raised there.

Q. Were you in Lynchburg at the last election?—A. Yes, sir; I have lived there continuously for the last thirty years; was born and raised there.

Q. A witness, by the name of Perrow, has testified here that the Coalition party lost 500 votes in the county of Campbell and 800 in the county and city together on account of the Danville circular?—A. Yes, sir; I noticed a statement of that sort in the paper.

Q. What have you got to say about it?—A. I think I have got the paper.

Q. Never mind the paper. What have you to say about that statement?—A. I think it is incorrect entirely. I don't think the Danville riot had any influence upon the vote of Campbell County or city of Lynchburgh, and, so far from the Coalition party having lost 800 votes in the county or city, that there was a greatly increased vote given that party—a much larger vote than——

Q. He spoke of what was called the Danville circular as well as the riot?—A. Well, the Danville circular had no influence upon the vote of the county of Campbell and city of Lynchburg, not in the least. The election there was quiet and peaceable—a much larger vote polled than had been polled for 10 or 15 years previously.

Q. On the side of the Coalitionists?—A. A much larger vote than they ever polled before on the side of the Coalition party.

Q. Have you got a statement of the official vote for some years past?—A. I have the official vote as published in the Richmond Dispatch as returned by the State canvasser. For the senate, Campbell County, senatorial district of the State, the official vote as reported by the State authorities, J. S. Diggs——

Q. What year?—A. November, 1883, the election succeeding the Danville riot—received for the State senate 4,007 votes. Charles W. Stat-ham Coalition, a very popular man—one of the most influential men in the Coalition party, received 2,924 votes, making an aggregate of about 7,000 votes polled in the county, whereas the census of 1880 only made the total vote of the county about 8,000.

Q. Now, have you the returns of the elections previous to that for a year or two?—A. I have. In 1881, in the election for governor, John W. Daniel, Democratic candidate for governor, received 3,383 votes in the county; Cameron, 1,756, making an aggregate of 5,139 votes cast in the county, showing that the vote of 1883 was much larger than even the gubernatorial vote in the county.

Q. The Coalition vote of 1883 was some 1,200 more than they had in 1881?—A. Yes, sir.

Q. Have you the vote between Massey and Wise in 1882?—A. Yes, sir. The vote between Massey and Wise in 1882—Massey received 1,610 votes, John S. Wise 1,041, which proves exactly what I have said.

Q. That was a much larger vote—continued to increase?—A. The Coalition party received a much larger vote in 1883 than it ever received before or ever polled before.

Q. Then it cannot be true, as Mr. Perrow said, that they had lost 800 votes in the county by that circular?—A. I don't think he can substantiate that declaration.

Q. Can you give us any information as to how colored Democrats are

treated by their own race in Lynchburg?—A. Well, there have been one or two instances in which Coalition colored men have tried to intimidate them. There is a man—Squire Taliaferro—who was formerly a resident of the city of Lynchburg, and been there for a number of years; was a slave belonging to an old citizen of the place.

Q. He lives in Danville now, does he not?—A. Yes, sir. And he was very violent, and I think had to leave the city on account of intimidation and violence at one of the elections there, and he went to Danville, and I see by the papers he has been figuring there somewhat during the recent riots. I don't know anything personally about it, only about what I saw in the prints. I know the colored man though, and I know his character very well.

Q. The one that he tried to intimidate?—A. Oh, he was very violent.

By the CHAIRMAN:

Q. Do you know; do you speak from your own knowledge?—A. And he wanted to compel——

Mr. VANCE. He don't hear. Doctor, pay attention, please. Do you know the man he tried to intimidate, or the men, any of them?—A. I don't recollect now, but I think if you will apply to the mayor of the city of Lynchburg he will give you the information. I think he had to escape from there on account of some——

Q. Do you know his general reputation in that respect?—A. Yes, sir; I think it is bad.

Q. But this instance you speak of, you did not know of your own knowledge when he tried to intimidate men?—A. I only saw it in the papers while I was living in the city. I have lived there all my life, you know, and heard others speak of things.

Q. But you say you are acquainted with Taliaferro's general character as a bulldozer?—A. Yes, sir.

Q. And you say it was bad in that respect?—A. Yes, sir.

By the CHAIRMAN:

Q. I will ask you if you examined at all the registry list or any papers connected with it?—A. I don't understand the question.

Q. You base your opinion simply upon the fact that there were more votes cast at the last election than at previous elections?—A. I base it upon the printed reports and extracts from the official reports.

Q. Did you examine the registry lists last year?—A. I make this statement upon the strength of those reports.

Q. But did you examine the lists of registration of voters in Lynchburgh?—A. No; but I am very well acquainted with the——

Q. Did you take any part in the canvass?—A. Yes, sir.

R. C. MARSHALL sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I live in Portsmouth, Va.

Q. What is your occupation?—A. I am a lawyer; I am the Commonwealth attorney of the city.

Q. Were you a candidate for office last fall?—A. Not last fall; no, sir.

Q. When were you?—A. In 1882.

Q. What were you a candidate for?—A. For Congress from that district.

Q. Who was your opponent?—A. I had two, Mr. John F. Dezendorf and Mr. H. Libby.

Q. Did you have any race issue drawn there?—A. I don't think we had any race issue on the part of the Democrats. I think the race issue was raised on the part of the Coalitionists.

Q. How did they go about it?—A. Well, sir, they organized the negroes. I was not present at the night meetings they had, but it was a matter of notoriety that they banded them together at the club and night meetings. We got reports, second hand, of course, of harangues of all sorts being made by designing white men and some colored men arraying them against the Democrats.

Q. As a matter of fact, were they solid against the Democratic party?—A. Yes, sir, as a matter of fact. So far as my knowledge goes, I don't think there were twenty-five colored men who voted the Democratic ticket in the second district. I know that in Portsmouth there was but one.

Q. Do you know if he was subjected to any indignities on account of it?—A. Not at that time, no, sir. I have no knowledge of his being subjected to any indignities. He has been voting the Democratic ticket for ten years, I reckon. He was at one time maltreated—so said, but I don't know anything about that.

Q. Have you any knowledge of how the last canvass was conducted down there?—A. Yes sir. It was a very warm, active canvass on the part of both the parties. We were probably better organized than we had been before in our district, and we polled a larger vote than I have known, and the other side was as certainly well organized, and in the immediate vicinity of where I live they polled a much larger vote than they ever polled before.

Q. How was it in the district?—A. My recollection is the vote in the district was very much larger than it has ever been before.

Q. On both sides?—A. Yes, sir.

Q. What effect did the news of the Danville riot have, if any, down there?—A. None, as far as I saw, at all. We were somewhat surprised on election day by the circulation of a printed circular, which I thought was calculated to excite the colored people, and I met the chairman of the Coalition party on the street, and I told him of it; that I was fearful there would be some trouble, that we wanted to have a peaceable and quiet election, and he said when he circulated that, as soon as he found out what the contents were, he stopped its circulation.

Q. What circular was that? Have you got it?—A. I have not the circular, but I have a printed copy of it, because I read it in the papers next morning.

Q. Produce it; read the circular, please.—A. This is the circular as it was distributed there.

The witness read as follows:

[Portsmouth Daily Enterprise, Portsmouth, Va., Wednesday, Nov. 7, 1883.]

Six colored men murdered by Bourbon mobs! Colored men, avenge by your ballots, on Tuesday, the 6th of November, the murder of five colored men at Danville Saturday night and the murder of Robert Robertson, in Hanover, by a Bourbon-Funder mob.

Q. Where did that come from?—A. I asked Mr. Oast where it came from, and he said it came by express; but he didn't know where it came from. He said I was at liberty to go to the express office and find out. I went, with another citizen, to the express office and told the express agent that Mr. Oast had authorized me to examine his book, if he would allow me, to see where it came from, and it was sent from the city of Petersburg.

Q. Was the name of the sender on the book?—A. I think it was, but it was not a name I was acquainted with at all. The same circulars were circulated in Southampton County.

Q. Is that a colored county?—A. Yes, sir; I think the census shows that there is about a thousand difference in the whole district between the colored and white persons who are twenty-one years of age—males.

Q. There are 1,000 more colored voters?—A. I think so; that is my recollection of it; 1,000 of one and 2,100 of the other, I think.

Q. Who is the man mentioned there as having been murdered in Hanover?—A. Robert Robertson.

Q. You say Mr. Oast told you that when he found out the character of the circular he stopped circulating it?—A. Yes, sir; I thought I saw evidences of excitement in our town. I was going around, of course, as attorney for the Commonwealth. I am a peace officer, and we knew there was excitement among the colored people on account of this Danville riot, and we were endeavoring to allay everything of the sort as much as we could, and I heard of this circular and saw a copy of it myself. I knew that if it had been circulated it must have been done with the knowledge of the managers of that party, and sought Mr. Oast. I happened to meet him on the street when I was looking for him, and he seemed to be considerably excited himself. He said he had given these circulars out, a few of them, without noticing what they were. He just supposed they were some campaign documents.

Q. And you thought, and he concurred with you, that it would have a tendency to produce trouble?—A. I certainly thought so and said so, and I supposed he concurred with me, because he said he would see that none of them were circulated afterwards.

Q. How was the race issue in the last election? Was there any effort made to draw the color line there?—A. Yes, sir; I think it was. The fact of the business is, in our district it has been rarely the case when colored people have been disposed to vote the Democratic ticket. We have in one county in the district a considerable following of what is known as Straight-out Republican ticket in Norfolk County. I think we got at this time probably 200 of those Straight-out colored votes in Norfolk County for the Democratic nominee for the legislature. Outside of that the Straight-outs ran a candidate. Outside of that the entire negro vote, with the exception of those that voted the Straight-out ticket, voted for the Coalition candidate, and it is a matter of common notoriety there amongst all parties that the negroes vote with the Coalition or Republican candidates always. The exception proves the rule.

Q. Did you hear any speeches made by the Coalition leaders in that campaign?—A. I was present several times when speeches were made, but I can't say that I recollect any speeches, for the reason that we either had two stands with speaking going on—ourselves and Coalition, or three with the Republicans. I can't say that I recollect any speech made by any Coalition canvasser. I was only at the meetings as canvasser myself.

Q. I suppose there was no interference with anybody's freedom of speech previous to the election or their freedom of vote on the day of election, was there?—A. Well, I recollect on one occasion at Warwick Court-House, I think it was, I was up there to make a speech and there was a Straight-out man by the name of Jones, representing the Straight-out party there, and Dr. Norton and two or three others, who represented the Coalition party, and they divided the time (we spoke in a different part), and I saw that they were interrupting this negro Jones

considerably, and then we went to our own speaking, and there was an evident intention—the majority of the negro crowd was with the Reader or Coalitionists—and there was an evident intention on their part to keep him from saying his say, but he told me afterwards that he had his say nevertheless. I don't think there was any real interference on the part of any one so far as my knowledge was concerned.

Q. Well, that rudeness and interruption, and so on, was one wing of the colored people against the other?—A. Yes, sir.

Q. The whites didn't interfere?—A. Not at all. I never saw any sort of interference.

By the CHAIRMAN:

Q. This circular did not get into circulation, did it?—A. It only partially did. I think there were some four or five being circulated around, one way or another.

Q. This is a Democratic paper, is it, the Enterprise, in which this circular is printed?—A. Yes, sir.

Q. I find this editorial:

AN EFFORT TO INFLAME THE NEGROES.—The election in this city passed off quietly yesterday, and both parties polled full votes. In the morning Mr. John W. Oast, chairman of the Mahone party in this city, received a lot of inflammatory circulars, sent by express from Petersburg, for distribution among the negroes, urging them to avenge the "murder of the negroes in Danville, and Robertson, in Hanover County;" but Mr. Oast decided very wisely not to have them distributed. One or two of them got into circulation and created considerable excitement. They were of such an incendiary character that Mr. Oast and also Mr. O'Connor, the candidate of the Mahone party for the legislature, disclaimed any connection or sympathy with them.

Q. That is substantially as you understand it?—A. All that I understand about it is my conversation with Mr. Cast; I had no conversation with any other member of the party.

Q. Did you have any conversation with Mr. O'Connor?—A. No, sir.

Q. I should like to have this paragraph and also this editorial go together.

W. C. WICKHAM recalled.

Mr. VANCE. I would like to ask General Wickham about the murder of those two men referred to in that circular.

Q. Do you know anything of the killing of that man Robertson?—A. I know that through current report.

Q. The case was tried in court, was it not?—A. Yes, sir; the case was tried in court.

Q. Who was he killed by, according to the evidence in court?—A. I really have forgotten the name of the man who killed him, but the whole proof at the time and before the court was that this man, who killed the other, had committed a robbery at a store, and that this man was a witness to it and that he put him out of the way to destroy his testimony. There was no attempt in the slightest degree to make it out a political affair.

Q. It is stated in that circular that he was murdered by a Funder mob.—A. I know it is.

Q. That is not correct?—A. It is not correct; I don't know just how far I can state these circumstances; I don't want to trespass upon your rules at all.

By the CHAIRMAN:

Q. Was it the killing of a negro by a white man?—A. No, sir; two negroes—one supposed to be a Republican and the other a Coalitionist.

Q. Neither of them Democrats?—A. Neither of them Democrats. The statement of the outrage was published in the Whig——

The CHAIRMAN. Really, I don't think the form of it is competent, nor the substance of it, while I have no objection to the historical fact being stated.

The WITNESS. The historical fact was that when the first intelligence came to Richmond the Whig stated it as a political murder, and that a Wickham man had killed a Jones man, and in the issue of two days afterwards the Whig stated that it was found that there was not the slightest political matter in it, and before the jury there was nothing at all. It was a fully-tried cause.

Mr. VANCE. That is sufficient then.

JAMES R. FISHER sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. Richmond is my home. I am assistant postmaster of the House of Representatives.

Q. You are at present employed in the House of Representatives?—A. Yes, sir.

Q. Where were you on the day of the last election in Virginia?—A. I was at Roanoke City, Roanoke County.

Q. Did you see any disturbance there on account of politics?—A. I did.

Q. Describe it, if you please.

Mr. LAPHAM. On election day?

Mr. VANCE. Yes.

Mr. LAPHAM. That's the same line of evidence that Senator Sherman objected to this morning, is it not?

Mr. VANCE. He objected on so many lines that I don't know what this would lead to.

Mr. LAPHAM. Well, I understood that he did, and I want to make the same objection he did.

Mr. VANCE. I think, Senator, you can hardly be serious in objecting to my showing what I am going to show on the day of the election.

Mr. LAPHAM. I only want to preserve the record. The reporter has noted the objection.

By Mr. VANCE:

Q. Go on, Mr. Fisher.—A. I was at Roanoke City on the day of the election. There was an unusually large vote polled at that place, and I never saw a more orderly, quiet election in my life. The officers conducting the election—the majority of them were Coalitionists, and they seemed to afford every facility for voting—and I was informed that a good many negroes had voted the Democratic ticket.

Mr. LAPHAM. That will hardly do.

Mr. VANCE. No, that is not quite as good testimony as the fellow who overheard the wires ordering the pistols from Danville.

Mr. LAPHAM. No, because it does not point to Danville; if he had heard anything said about Danville, I have no objection to it.

Mr. VANCE. The scope of our investigation is very wide, and if you will remember the resolution "to inquire into the state of the law in reference to the constitutional rights."

Mr. LAPHAM. If you insist upon it, take it.

Mr. VANCE. I have to insist upon everything I do.

The WITNESS. I was at the precinct all day and never saw a more

orderly election. The vote cast, I think, was a "rise" of 1,000 votes at one precinct, and just at the close of the polls, when the vote was pretty much exhausted, a colored man offered to vote with an open ballot. His vote was received, and as he turned he was assaulted very violently with sticks and clubs.

Q. By whom?—A. By negroes, and but for the interference of the police he would have been killed. He was carried off by the police; the assaulting party were arrested and carried to the station-house, and the negro was taken to his residence.

Q. What ticket did he offer to vote?—A. The Democratic ticket.

Q. As he turned from the polls he was assaulted by negroes?—A. Assaulted by negroes.

Q. With sticks?—A. With sticks and clubs.

Q. Was he beaten to any considerable extent?—A. After he was carried to his house, in company with a physician, I went to see him to see if he had the necessary attention. He was in such a stupid state that he could not talk. The physician stated to me that he was apprehensive that there would be some trouble about his brain. We remained with him probably fifteen minutes and gave some directions about nourishment for him; left him some money, and I never saw him afterwards.

Q. So far as you knew there was no other cause for the beating, except that he was voting the Democratic ticket?—A. That was all.

Q. Which side was in the majority there at Roanoke City?—A. It had been a very closely contested precinct, but the Democrats at that election carried it by a majority of 200, I think.

Q. Out of 1,000 votes?—A. One thousand, between 900 and 1,000.

By Mr. LAPHAM:

Q. You mean they carried it last fall?—A. Last fall, I mean.

By Mr. VANCE:

Q. Was the news of Danville riot there that day?—A. Oh, yes, that had been there several days. There was a club in the town that I visited and I found copies of the circular or documents that had been there several days. In fact I had seen that before going there.

Q. Had it any influence upon the election?—A. It had this effect, I think—it brought out the reserve vote. I don't think it increased or intensified any feeling. I think the effect was to bring out the vote.

Q. To make the Democrats more active in getting out all their votes?—A. Yes, sir; more active in voting.

Q. How far is Roanoke City from Richmond?—A. I think it is about 200 miles.

Q. You live, where?—A. I live in Richmond.

Q. You did at the time of the election?—A. I have lived there all my life, except the time I have been in Washington.

Q. Then you lived there at the time of this last election?—A. Yes, sir; I consider that my home.

Q. What called you to Roanoke City?—A. Well, at the request of some of our party friends I went over there to confer with the Democratic committee.

Q. Your motive was a political one?—A. Yes, sir; a political one.

Q. A party one?—A. Yes sir; party. That was a new town.

Q. Well, you just answer the question. I just want to know whether your visit there was for political purposes. Where did you first see the Danville circular?—A. I saw it in Washington, and saw it in Richmond.

Q. Before you went to Roanoke City?—A. I had read it in the Baltimore Sun.

Q. Don't you know it was circulated generally throughout the State?—A. Oh, yes; I had read it three weeks before the election.

Q. I mean the "Coalition Rule in Danville" circular?—A. Yes, sir.

Q. It was circulated generally all over the State, was it not?—A. Yes, sir.

Q. Do you know where it was printed?—A. I had a few copies sent to me from Danville; I suppose it was printed in the town.

Q. You supposed it was printed there?—A. Yes, sir.

Q. When did you first hear of the riot?—A. Well, I heard of it, I think, on Sunday night.

Q. At Richmond?—A. At Roanoke.

Q. You were at Roanoke Sunday?—A. Yes, sir.

Q. And the news reached there Sunday night? In what form did it come?—A. It came by telegraph.

Q. Do you remember the substance of it?—A. Well, we could not reach any—

Q. Do you remember the substance of it?—A. The substance of it was that there had been a riot in Danville and several persons killed.

Q. Did it not represent the colored people as killing the whites?—A. No, sir; not at all.

Q. How many persons were arrested for the assault upon this voter?—A. I think there were two or three. I am positive there were two, and probably three.

Q. Two persons were arrested for the assault?—A. For the assault.

Q. Do you know what became of their cases?—A. I lost sight of their cases.

Q. You don't know whether they were convicted and punished?—A. Probably they were.

Q. Haven't you heard so?—A. Never heard any more of it.

Q. But they were promptly arrested and taken to the police station?—A. Taken to the police station; yes, sir.

WASHINGTON, D. C., *Saturday, April 5, 1884.*

Hon. EUSTACE GIBSON sworn and examined.

By Mr. VANCE:

Question. You are a Representative in Congress from the State of West Virginia?—Answer. Yes, sir; the fourth district.

Q. Will you please state if you were in the State of Virginia on the day of election. If so, where.—A. Yes, sir. I was at Culpeper on the day of election, and I was, I think, some twelve days before the election.

Q. Please state what you observed in relation to the manner of conducting the election, and what happened on the day of election, &c.—

A. My brother was a candidate for the legislature in that county, and I, having been a former resident in the county, went there. He wrote to me to come and help him in the election. I went there and made appointments over the county to make speeches, canvass the county. I think I made four or five speeches in the county. During that time I had frequent consultations with Democrats and Republicans, white and black. Up until the time the news of the Danville riot came we had a

decided hope and expectation of dividing the colored vote. The white vote at that time that had gone with the Coalition vote before had mostly come back to the Democratic party. I had gone personally to a number of men with whom I had been raised as boys, who had been voting the Coalition ticket, and had talks with them. The first thing I knew of the Danville riot was one morning when I got up and came out. It created a great deal of surprise with us, and a good deal of uneasiness. The colored people at once became very much excited. They gathered together in knots; you could see them talking, and after that we could do nothing in the world with them. They would not talk with us. It solidified the colored vote in the county of Culpeper thoroughly, so much so that we became alarmed as to the result in the county; did not know how it was going on the day of election. To show you how much alarmed and how careful we were about it, the day before the election I went to one of the precincts to make a speech. A young gentleman went with me in a buggy, and he was a great hunter, and took his dog and his gun along; said he was going out hunting, shooting birds while I was speaking. When we got to one little town on the road somebody asked him what he was going to do with his gun, and he laughingly remarked he was going to shoot Readjusters. Instantly a gentleman, a good Republican, stepped up to him and said, "That was a foolish remark; you ought not to have made that; you see that colored man there; he will go and tell that, and then we cannot do anything with these colored people at all." He then explained this laughing remark. Well, the day of election came. That night, about 3 o'clock in the night, I started to go to the precinct where Mr. J. S. Ewgboy was, who, I think, testified here, as I saw in the papers yesterday. I think I was the first white person that got there. When I got there there was one colored man there, and very soon the colored voters all came in—commenced coming in; and the whites commenced coming in. I had expected to meet two colored Democrats there to work for us. When we got there the excitement became very great very soon. About one hundred or one hundred and thirty colored men formed on the bank of the road and commenced shaking their tickets and hollering that that was the colored man's ticket, undertaking to intimidate these colored men I had there working for us. It got so bad that they gathered around one of them and he was crying. I saw there was likely to be some difficulty, and I stepped up and remarked to Mr. Ewgboy, says I: "Jake, we know each other very well; your father and my father were friends, we were raised together; you know that we want nothing but a fair election, and that we are going to have it. Now you go to those colored men of yours and tell them to stop this attack upon this colored man. He has come here with me, and I don't intend he shall be hurt." Mr. Ewgboy then very promptly got in amongst them and stopped them. Well, it remained in that way for a little while longer. About noon, then, when the men who were holding the election adjourned to go down to get their dinner, they commenced it again, and I again had to go to Mr. Ewgboy to appeal to him to stop his men and to let these colored men alone. They declared that their ticket was the colored man's ticket and that a colored man that would vote with the white men, as they expressed it, "was no better than a dog," and it gave us a good deal of trouble, a good deal of uneasiness.

Q. Is that all that occurred?—A. That is all that occurred. With that exception the election went off quietly; they all worked hard.

Q. Well, the color line there was drawn by the black people themselves?—Entirely. We did everything we could in Culpeper to prevent

it. I know I was in consultation with my brother and the members of the Democratic party who were managing it there. Mr. James Barbour, the brother of John S. Barbour, and myself went about over the country working and we took especial pains as soon as we heard of this Danville riot, and before that time, to caution the white people to be as conciliatory as they could. We were uneasy, afraid the county would be lost, and we expected to get some Democratic votes out of the colored population.

Q. Did that Danville riot help or hurt the Democratic party?—A. In Culpeper?

Q. Yes.—A. It hurt us.

Q. Solidified the black vote?—A. I am satisfied it hurt us from 100 to 200 votes; we would have gotten colored votes that we could not get after that. It was utterly impossible to do anything with them.

Q. Did they prevent any of your colored friends from voting that day? Men who were friendly to you; would have voted with you?—A. Well, I cannot say.

Q. I mean this row at the polls?—A. I cannot say. I can only tell you how the colored men acted who did vote.

Q. How was that?—A. The first colored man that I got to vote for me, probably as soon as he voted, made me pledge that I would not tell how he voted; he broke and ran.

Q. He got away?—A. Ran as hard as he could. Got away. Yes, I can say we lost. We would have gotten some colored votes that were prevented; they held off until the very last thing in the evening trying to get to vote. Two or three times I edged my way up to right by the polls and got between them and the crowd behind, and let them pass in and put in a ticket so it would not be seen.

By Mr. LAPHAM:

Q. Where did you live at that time?—A. I lived at Huntington, W. Va.

Q. So you lost your vote?—A. Oh, no, sir. There was no election in my State.

Q. I supposed the election there was at the same time?—A. No, sir.

Q. Was not there any election in West Virginia in November last?—A. No, sir.

Q. When did you first see the circular called "Coalition Rule in Danville"?—A. You mean the circular that was issued there in relation to what they allege to be the abuses there?

Q. Yes, "Coalition Rule in Danville," that is the heading of it.—A. Oh, I saw that a day or two before we heard of the riot.

Q. Was it circulated extensively in that county?—A. Yes; I think it was.

C. P. ARMISTEAD, sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Williamsburg.

Q. That is on the peninsula, is it not?—A. Yes, sir; James City County.

Q. State if you heard any appeals to the colored people about the time of the election as a race to vote the Republican ticket, or the Coalition ticket.—A. I did, sir, on election day. I remember one prominent instance that I heard myself. The circumstances were these: A cart or wagon load of colored men came from the country to town to

vote. One of the voting precincts of James City County is in the town of Williamsburg. A white man by the name of Bryant, as I remember, seemingly knew these men and went to them and was offering them some Republican tickets, I believe they were called the Straight-out Republican tickets.

They stopped near the sidewalk, where I was standing, and Dr. R. A. Wise, the chairman of the Coalition committee of James City County, walked up to the cart and told these colored men, "Don't you vote that ticket; it is nothing more nor less than the Democratic ticket, and you are not going to support the Democrats after they have gone to work and killed your colored brethren in Danville like dogs. I call upon you to-day to stand up like men and avenge yourselves for the murder of your colored brother," or "of your brethren"—I don't think he put the word "colored" in. When Dr. Wise made that statement I stepped up to him and said, "Dr. Wise, you know that is a false statement, sir, and you shall not make that statement to these ignorant men in my presence without having it denied." I then turned around to the colored men and says, "Men, Dr. Wise knows that statement is false, and if that riot that occurred in Danville originated by interference of white men, it was brought about by such men as Colonel Sims, the leader of the Readjuster party there;" and then I offered them my ticket, told them it was the regular Democratic ticket, and read the names on the ticket to them and told them who the men were, but, of course, did not succeed in getting any of them to vote for me.

Q. What tickets did they take?—A. They left me, and they had a great many colored men there handling the Readjuster ticket, and they got tickets, I presume, from them. I am pretty sure they didn't vote for our ticket, because, when they went to the polls they were in the custody of these electioneers from the Coalition side.

Q. Who were the candidates; what divisions of politics were there?—A. There were three tickets in the field: the Democratic ticket, the Republican ticket, and the—I don't know what they call it, they had several names for it. Coalition-Republican.

Q. Coalition ticket?—A. Had three or four different names, different headings on the ticket, some Republican, some Coalition, some Readjuster.

Q. Who headed the Coalition ticket; what candidate?—A. A Republican from Hampton, by the name of Haas, for the senate, and I don't remember who was the candidate for the lower house.

Q. State now how the contest was, if you can, between the Coalitionists and the straight Republicans; what arguments were made use of to influence the colored people?—A. I never attended regularly their political meetings. In fact, I was very seldom present. There are a great many colored orators down there in their section, and we considered the speeches made very incendiary.

Mr. LAPHAM. I submit that is not competent.

Mr. VANCE. State why you considered them incendiary; what did they say?

Mr. LAPHAM. Why, he did not hear them, he says.

The WITNESS. Not regularly, I did not; very seldom; I heard them speak.

By Mr. VANCE:

Q. If you heard any one you can state what they said.—A. I do not know that I can quote the language that I heard from any one, but the substance of all their harangues—

Mr. LAPHAM. Oh, I object to it.

The WITNESS. Well, sir, I cannot quote any particular thing at this time.

Mr. VANCE. Well, you can state the substance of it.

Mr. LAPHAM. Oh, he can state what he heard.

Mr. VANCE. I have not asked him to state anything but what he heard.

Mr. LAPHAM. If he is to confine himself to what he heard I have no objection.

By Mr. VANCE:

Q. What was the general line of argument used by them, privately or publicly?—A. Well, one of their particular points—

Mr. LAPHAM. Why, he said he did not hear any of that—their speeches.

The WITNESS. No, sir; I did not say I did not hear any of them. I said I didn't hear them regularly. One of their prominent points that was pressed with a great deal of vigor in the speeches that I heard was the question about the whipping-post, and they induced or tried to induce the negroes to believe that the whipping-post was intended solely for them, and that the white people wanted to get the whipping-post re-enacted that they again might be whipped, a matter of that description; I remember that; just now I can't remember any other.

Q. Do you recollect anything said to them about their schools by anybody, white or black?—A. Well, I cannot say that I do remember anything directly in connection with the schools; they said this: that the Readjusters were the party of their friends in connection with the schools, and that the Democrats and straightout Republicans were opposed to it.

Q. Were opposed to their schools?—A. Giving them education; yes, sir.

Q. What support did the straightout Republican ticket receive?—A. They received about 35 votes, I think, in Williamsburg—35 or 45 votes.

Q. Well, we will say in the Senatorial district, or if you cannot recollect that, about what per cent. of the colored vote did the straight ticket receive?—A. Well, sir, I cannot imagine that it received any more than from 15 to 20 per cent., if that.

Q. I will ask you if your party, the Democratic party, raised the race issue in your county?—A. In our immediate vicinity we did not raise the race issue.

Q. It was not your policy to do so, was it?—A. No, sir.

Q. Your policy was to divide the colored people, was not it?—A. Yes, sir; try to get them to vote with us; did all we could to induce them to vote with us.

Q. Do you know of any disturbances on account of politics at any meetings where any colored men were misused on account of their politics?—A. Yes, sir; I think I can remember several instances.

Q. Relate them, please?—A. General Fitz. Lee was to speak for us, and did speak a few nights before the election. We were informed that the Readjusters intended to take him off the stand. We advised them not to attempt anything of the kind. We did not want any disturbances, did not court any disturbances. When General Lee was speaking there was a crowd present, probably about two hundred and fifty or three hundred men. Dr. Wise was down in the crowd from where I was sitting, and I could see him prompting two or three negroes to interrupt General Lee. They did so, and he replied to them very pleasantly, and when that plan did not succeed they drew off the crowd of negroes hanging

around in the crowd, went just across the street and commenced speaking to a crowd of negroes. Dr. Wise spoke and a colored man by the name of Edlow spoke.

Q. How far now from the other stand?—A. The street, I suppose, just there is nearly 100 feet wide. We were on the south side of the street, in the porch of the hotel. He went across the street on the steps of the court-house.

Q. Was it near enough for the noise of the two crowds to interrupt each other?—A. We could hear the two speakers very distinctly. On other occasions I have known of disturbances at political meetings. In fact, I have known them to break up straightout Republican meetings entirely. I remember the fall election of 1882, when Dezendorf and Dawson, who is a colored man, ran for Congress from the second district and the State at large on the straightout Republican ticket. Mr. Dezendorf had an engagement to speak at Williamsburg. His friends had procured a written permission from the mayor for the use of the court-house. He was on hand and commenced speaking. I went over to hear him; took my seat in a window near the door. He had been speaking some fifteen minutes when a Readjuster speaker by the name of Lassiter, a white man, and a negro speaker by the name of Thompson, I think, came in with a few men, some of them white and some black, and requested a division of time. Mr. Dezendorf declined. He had been interrupted that day in Charles City, and he did not propose any division of time. He said that his own people wanted to hear him speak. They insisted on a division of time. Mr. Dezendorf insisted on not dividing, and asked them not to interrupt him, to let him speak. This man Lassiter got up on the bar just in front of the speaker, facing the speaker, and I think took his coat off, and he was gesticulating, with this man Thompson with him, declaring that they would speak.

During this time the crowd gathered in pretty thick, and a line of colored men, probably some fifteen or twenty or more—the crowd that Mr. Dezendorf had there was not more than forty or fifty at the outside in addition to the crowd that had come in during this disturbance—a line of colored men of from fifteen or twenty came in in a regular line, led on by a colored man, walked in, went up to the stand in a boisterous way, and then a larger crowd came in of whites and blacks mixed, hurrahing and whooping and throwing up hats, pressed toward the stand. This negro speaker, Thompson, left the bar, went up on the judges' stand, and stood on top of it by Mr. Dezendorf. Mr. Dezendorf was asserting his rights the best he knew how, I suppose; said he intended to speak; did not intend to be broken up by them, and did not intend to divide time. This negro was telling him he should not speak unless he did divide time, and the crowd was throwing up their hats and yelling continuously. Well, under the excitement, I expected every minute for a riot to break out there, and the reason why it did not was, I think, due simply to Mr. Dezendorf's coolness and the coolness of some of his committee friends. Just about this time I saw the mayor, Mr. E. H. Lively, who had been re-elected by the Coalition party, and was prominent at that time in the party, was at the door talking to Dr. Wise; they two walked in. Dr. Wise never came further than a few feet inside the door. Mr. Dezendorf recognized the mayor, and asked him to guarantee him in his rights there, and to restore order, and to let him speak. He had his written permission for the use of the court-house. Mr. Lively pushed on up to the stand, and got on top of the stand with many others with Mr. Dezendorf and this negro man Thompson, and exclaimed, "It is true I have given you permission to use the court-

house, but I am the servant of the people, and the people say you shall not speak in here;" to leave.

Q. That was the mayor?—A. That was the mayor told Mr. Dezen-dorf, and after that Mr. Dezen-dorf and his party blew out the lights and locked the door and went to the colored church and spoke.

Q. He was the Coalition mayor of the town?—A. Yes, sir; he was the Coalition mayor.

Q. In favor of a free ballot and a fair count?—A. Yes, sir. He said he was the servant of the people, and the people said he should not speak and he had to leave.

Q. Who blew out the lights?—A. Mr. Dezen-dorf's party; his friends blew out the lights. They had bought the candles and they took the candles out, went out and locked the door. As soon as the lights were blown out the crowd rushed out, I suppose; that lasted from 9 o'clock till 11, just in that state of riotous excitement.

Q. Was Dr. Wise an office-holder under the State government also?—A. Yes, sir; he held numerous offices. He was superintendent of the asylum, chairman of the Readjuster committee, and trustee of the public schools.

Q. Well, Dezen-dorf didn't speak then at all?—A. He had to leave there and go down to a colored church, and there he had a meeting in a small crowd, and spoke there. I did not go there, but I saw a light in the church and understood that he spoke there.

Q. Dezen-dorf was then a member of Congress, was he not?—A. Yes, sir.

Q. A candidate for re-election?—A. A candidate for re-election. I also saw during that same campaign a similar scene at Yorktown on court day.

Q. Well, relate that, please.—A. Twelve miles from Williams-burg—

By Mr. LAPHAM:

Q. When was this?—A. The fall election of 1882.

Q. Way back in 1882? Well, this occurrence you have just been stating was in 1882?—A. Yes, sir; Messrs. Dezen-dorf and Dawson were to speak at Yorktown. Two colored men by the name of Norton—two brothers—then representatives in the two branches of the house of representatives in Virginia, one a senator and the other a representative—they had a military company there of colored men with uniforms sold them by Dr. Wise; they had guns of various descriptions, drums, and fifes; they paraded on that day. At the recess of the court they took possession of the court-room, and marched their company up into the room, which is on the second floor of the building. They had a meeting up there of some description; you could hear them speaking. Mr. Dezen-dorf and Dawson occupied the porch in front of the court-house. When Mr. Dezen-dorf's crowd began to gather—composed principally of white men—he stood there to listen—most of them were Democrats, I suppose—with a few of his followers close to him around the steps. The party from upstairs marched out and went through the door of the court-house, formed the company in the rear, and marched with their drums and fifes, playing just in front of the speaker. He stopped until they passed, and as soon as they passed commenced speaking. They turned about and marched immediately back in front of him. He waited until they passed, and commenced again. They turned the second time and marched their company right close to the steps, through his crowd—pushed them aside and broke through the crowd. At this

time a colored man by the name of Richard Whiting, who was drunk or had been drinking, was standing by Mr. Dezendorf on the porch interrupting him and smacking him on the shoulder, and frequently remarked to Mr. Dezendorf, "That is a lie, sir; that is a lie." Well, Mr. Dezendorf doubtless appreciated his situation; believing that they were trying to get up a row, was very calm and considerate, and did not notice the negro. Presently this crowd of soldiers marched close to the steps. Some one pushed Mr. Dezendorf or struck him—pushed him, I think, off the porch—and when he was pushed the negro also was pushed off. I think it was this fellow Whiting—a good many were standing right on the edge of the porch—just stepped down on the first step, and as he stepped down there this crowd of negro soldiers piled right in on the man. Mr. Dezendorf quickly stepped back and commenced speaking during all this row. One of the colored soldiers got struck on the head with a gun, I think, and ran off. That continued about an hour before it was stopped, and it resulted in not allowing Mr. Dezendorf to speak at all.

By Mr. VANCE:

Q. Who was present; were there any officials present then whose duty it was to have commanded the peace?—A. I don't know; I think not. It was at recess of the court and they had gone probably some distance to dinner or something of that kind. The sheriff was a Readjuster himself. Dr. Wise was there.

Q. Did he make any effort to control the crowd?—A. Not at all. He seemed to be—I was about to remark—the power behind the throne.

Q. The company that was guilty of this misconduct had been uniformed by Dr. Wise?—A. He sold the uniform to them. It was an old uniform belonging to the military company of Williamsburg, of which Mr. Wise had been captain and is now.

Q. Is Dr. Wise a brother of the present member of Congress, Hon. John S. Wise?—A. Yes, sir; he is the brother of Hon. John S. Wise.

Q. Do you know of any instances of ill-treatment on the part of colored people toward each other for voting the Democratic ticket?—A. Down there the sentiment is very strong among the colored people against any colored man who represents himself as a Democrat. There are very few that dare vote the Democratic ticket. I don't know of any in Williamsburg who professes to be a Democrat except one man. His name is Daniel Wells, and he has had frequent contentions with them on that account. If they vote the Democratic ticket they do it very quietly and very few ever know anything about it. I think in the last election some few of the straightouts voted the Democratic ticket and said the reason they would do it they thought that was the strongest ticket to beat the Mahone ticket; that the colored men would not support their straightout Republican ticket, and they thought that was the best way to defeat the Readjusters; the number that did this is very few. We have there some of the best colored people I reckon in the State, but their number is a very small percentage of the population.

Q. The candidate for Congressman at large on the straight Republican ticket was Mr. Dawson, was not it?—A. John M. Dawson; yes, sir.

Q. Was he a minister of the Gospel?—A. Yes, sir; he is a preacher and he is a very good man, too. He is an intelligent man.

Q. Did he have charge of a church?—A. He had charge of a very flourishing church.

Q. Where?—A. In Williamsburg.

Q. Was there any disturbance concerning his church?—A. Yes, sir.

That reminds me that the Readjusters had a barber there by the name of Garlick. After this Readjuster movement took place they put the barber up as a preacher; got him to preach; and they bought a house in another part of the town, and tried to draw off, and did draw off, a great many of Dawson's members, until at one time—up to this last election, I think—the membership of his congregation was very slim. He has a membership, as I am informed, from one thousand to one thousand five hundred. They lived in various parts of the county adjacent to Williamsburg.

Q. They set up opposition to him and drew off a great many of his members?—A. Yes, sir.

Q. Do you know of any other cases of disturbance on account of politics there?—A. I don't know whether I have related this in one of our Democratic meetings during this last election. The Readjusters started some row in the court-house while one of our speakers was speaking, as we presumed, with the intention of breaking up our meeting.

Q. Where was that?—A. In Williamsburg.

Q. Who was speaking?—A. As well as I remember a Mr. Marius Jones, from Gloucester County. Some members of our committee were present and told the party they had better keep quiet, that we did not propose to be broken up or bulldozed—it was a white man that started it, I think; I was not near, I was on the stand—and the noise was quieted; there was no further disturbance.

Q. Was that in 1882 or the last election?—A. This last election.

Q. That was nothing more than an attempt to break your meeting up?—A. Nothing but an attempt.

Q. Was not carried into effect?—A. No, sir.

Q. You have already told, I think, about the disturbance offered to General Lee in the last election?—A. Yes, sir.

Q. Or was that in 1882?

Mr. LAPHAM. That was in 1882, and he has given the detail of that.

The WITNESS. No, sir; that was in this last campaign; that was before the election in November.

Mr. LAPHAM. Well, you have given it at any rate.

Mr. VANCE. I know he has; I just wanted to fix the date.

By Mr. LAPHAM:

Q. Where was it that Haas, a straightout Republican, got 35 or 40 votes?—A. In the town of Williamsburg.

Q. What was the Readjuster vote there?—A. The Readjuster vote was, I think, in the neighborhood of 150 or 160.

Q. What was the Democratic vote?—A. The Democratic vote was about 90; I do not remember it exactly, but about that.

Q. Now, you say Mr. Wise represented to these colored people that to vote for the straight Republican ticket was an assistance to the Democrats?—A. Yes, sir.

Q. And did not the Democrats so regard it, that every vote cast for that ticket helped them?—A. Well, yes; we regarded every vote for them would be a help for us.

Q. And did not the Democrats attend the straight Republican meetings; formed their audiences?—A. Well, some few occasionally did; not regularly.

Q. And at last quite a proportion of the straight Republicans actually came over and voted the Democratic ticket?—A. I reckon in our town some ten or twelve voted the Democratic ticket.

Q. So it was obvious that the straight Republican movement was an assistance to the Democrats?—A. Yes, sir.

Q. Now, these troubles about which you have been speaking in 1882, if I understand, were troubles between the Readjusters and the straight-out or old-line Republicans, as they termed themselves?—A. These troubles?

Q. Yes; they were not between the Readjusters and Democrats; they were between the Readjusters and straight Republicans?—A. Some of them, sir; do you mean these difficulties I have been relating?

Q. In 1882, the two instances you have given?—A. Yes, sir; those two in 1882 were between straightout Republicans and Readjusters. At that time they had separate tickets from us, and all trying to beat, and we were trying our best to beat the other two.

Q. Now, from the outset, have not the Democrats in your locality regarded the straight Republican ticket as an assistance to you in the elections?—A. We have not been benefited by it, sir, because we were beaten by the Coalitionists all together.

Q. No; but so far as it had any influence the tendency was to draw its votes away from the Coalitionists, and that helped the Democrats, did it not?—A. No, sir; there was no tendency whatever to draw Coalitionists from the Coalition support, as the fact turned out it did not do it.

Q. But it kept the Republican support from going to the Coalitionists; it had that effect, did it not?—A. Did you say a combination?

Q. Why did the Democrats attend the meetings of the straight Republicans?—A. Well, no more Democrats attended the straight Republican meetings than Democrats attended the Coalition meetings.

Q. Were there not?—A. No, sir; I do not suppose there were as many.

Q. Do you think the Democrats were as friendly to the movement of the Coalitionists as they were to the movement of the Straight Republicans?—A. No, sir; I think not.

Q. You know they were not, don't you?—A. I believe they were not; I don't know it.

Q. Who was this man who spoke about the whipping-post being restored?—A. Well, it was spoken of by most all their speakers, and among the rest—

Q. Name any one?—A. I will try to name two or three—a man by the name of T. E. Edlow.

Q. When was that?—A. During the last campaign.

Q. Where?—A. At Williamsburg.

Q. When was the law in relation to the whipping-post in force in your State?—A. It was repealed by the legislature before the last.

Q. By the Readjusters?—A. Yes, sir.

Q. It had been established by the Democrats?—A. While the Democrats were in power, yes, sir.

Q. And this man said if the Democrats were restored to power they would restore that mode of punishment?—A. Yes, sir.

By Mr. VANCE:

Q. The question was asked you if the whipping-post was established by the Democrats. It had been there for one hundred years in the State of Virginia, had it not?—A. I will state this, that a great many of the present Coalition party, or some of them, had been charged—

Mr. LAPHAM. Oh, don't volunteer that now; state they voted for it; the Readjusters themselves, Democrats who became Readjusters afterwards, voted for it.

By Mr. VANCE:

Q. What I mean to say is, if I understand the history of Virginia politics, the whipping-post was not established by the Democrats under the new constitution; it was an old pre-existing institution, was it not?—A. I think so, as well as I am informed of the history of the State.

Mr. LAPHAM. So much the worse.

By Mr. VANCE:

Q. Do you know whether several of the leading members of the Coalition party were not instrumental and active in getting the whipping-post, perpetuating it?

Mr. LAPHAM. What, a hundred years ago?

Mr. VANCE. No, not quite.

Mr. LAPHAM. You said a hundred years ago it was established.

Mr. VANCE. Well, I have said something since that, if you please.

The WITNESS. Do you ask me if I know? I don't know, but it is on record.

Q. Well, I mean you know it as a historical fact in the State of Virginia that a number of the Coalition leaders in the State of Virginia were active members in perpetuating that whipping-post when the question came up as to abolishing it.

Mr. LAPHAM. But they were formerly Democrats. There is no question about that.

The WITNESS. I believe so, but I cannot state that I have personal knowledge of that.

By Mr. LAPHAM:

Q. Well, the Democrats did not help abolish it, though. The Readjusters abolished it, did not they? You give them credit for that, don't you?—A. I don't know about that.

Q. Well, it was not abolished until the Readjusters got into power in the State?—A. No, sir.

By Mr. VANCE:

Q. Do you suppose some of them had a personal fear of it, and that was the reason some of them wanted to get rid of it?—A. Well, I heard John M. Dawson state in one of his speeches that as far as he was concerned, he nor any other honest man dreaded it, and if any one did fear it—I think he made some such remark as this—that they ought to have it. I do not remember whether he made any such remark, but that is my impression.

Hon. GEORGE D. WISE sworn and examined:

By Mr. VANCE:

Question. You live in the city of Richmond, do you?—Answer. Yes, sir.

Q. You are a Representative of that city in the House of Representatives?—A. Yes, sir.

Q. Did you have any conversation previous to the Danville riot with Colonel Sims in relation to his prospect of election in his district?—A. I did.

Q. Please state what it was.—A. Immediately after the discussion with Colonel Sims at Spottsylvania Court-House, I went to Fredricksburg. On my way to Richmond I met him on the train and we conversed all the way down—smoked together. During that trip he told

me what he was doing in Danville; how he was organizing his party; said he expected to bring out a much larger vote than had ever been brought out there, and that the county would vote every Readjuster; that he had them all under his supervision. I cannot use his exact language, of course. After a great deal of talking I put this question to him: I said jestingly—the phrase which I used will show that I was jesting—I said, “How much will you bank on your election in Pittsylvania County in that senatorial district?” “Oh,” he said, “that would not be a fair bet.” I said, “No, I don’t think it would; I only put the question to you for the purpose of ascertaining how much faith you had in your own talk.” I said, “We count upon the Pittsylvania district with certainty.” That was long anterior to the Danville riot. It was on the second Monday in October, which was the court day of Spottsylvania.

Q. Did he make any reply to that when you told him that you counted on it safely?—A. His remarks were general, and the impression that I gathered from him was that he agreed with me; that he didn’t hope to be elected, but he would run closer, and reduce the majority.

Q. He didn’t dissent from what you said, or he didn’t say in so many words, that is so?—A. No, sir. I wrote a letter to Colonel Cabell immediately when I reached Richmond——

Mr. LAPHAM. Oh, I object to that.

The WITNESS. I just simply mention the fact that I wrote the letter. I was not going to state its contents——

Mr. LAPHAM. Oh, I object to it. It is better to answer the questions which are put to you.

The WITNESS. I will answer the questions, sir.

Mr. VANCE. We have had so much of a rambling nature that I don’t think you ought to be rigid in holding us down to law.

Mr. LAPHAM. Oh, I don’t mean to be so, sir.

By Mr. VANCE:

Q. Mr. Wise, a long statement has been made before this committee as to the condition of things about Richmond and in the State by Hon. John S. Wise, which I suppose you have read?—A. Yes, sir.

Q. Now, anything pertaining to his statements that you desire to say, please do so without any cross-questioning from me.—A. I will do so, and I suppose it is certainly pertinent for me to follow him in the line of his examination before this committee. I find here in his record that he has made a statement in reference to the election of 1882—the election between himself and Mr. Massey—a statement in reference to the people whom I represent, which calls for my notice, and it is just to them, to myself, and to my city that I should notice it. I allude to this statement which he makes in answer to a question put by you:

I consider my case stronger now than when we started. He has not proved anything, and I have proved some seven hundred perjuries and forgeries in Richmond.

I want to state to this committee that I am familiar with what he calls forgeries and perjuries, and that the gentlemen upon whom he has charged perjuries and forgeries are among the highest and best gentlemen, not only in Virginia, but as high and as good as any in the United States; there is no question about that. They are men whose names have been honored in Virginia from her foundation down to to-day, and no man has ever questioned their integrity. What he calls forgeries were the so-called assessment papers for capitation taxes. In Virginia, if a man is overlooked in the assessment, his name, of course, does not

appear upon the delinquent list; and not being returned delinquent, he could not, of course, pay his capitation tax, either to the auditor or to the clerk of the court of the city; his name being absent from there, the clerk has no authority to receive the capitation tax from him. Persons in that position have to go to the commissioner of revenue, not for assessment: it is not necessary for me to say that the law of Virginia does not require a man to be assessed for the capitation tax. The law says that the capitation tax shall be \$1, and hence no assessment is necessary for that; but that there may be a check of one officer upon the other, and that the commonwealth may have some means of knowing what is the amount of her revenue, it is required that a person who has not been assessed for his property and whose name is not upon the delinquent list shall go to the commissioner, and he shall give him a paper stating that he has passed him, and that shall be carried to the treasurer, where the money is paid. Now, this transaction which he denominates forgeries and perjuries is simply where the commissioner of revenue, having been notified that A, B, or C had been overlooked by him, would furnish a paper in which he would simply state that the treasurer shall receive the \$1 capitation tax from A, B, or C. Those are what he calls perjuries and forgeries.

Q. Does any oath have to be made in that?—A. No, sir. Oath of what? The law simply requires that a man shall make oath that he has given a proper assessment of his property, and no oath is required as to the capitation tax, because the law fixes it and makes it \$1.

Q. That is given just simply to show that his name is returned?—A. I can do it for you or you can do it for me. Any citizen can do it for his friend.

Q. One for another?—A. One for another.

Q. Are those the seven hundred forgeries and perjuries spoken of?—

A. Those are the seven hundred forgeries and perjuries spoken of.

By Mr. LAPHAM:

Q. Then I understand the number is not questioned?—A. Oh, I don't know anything about the number; I didn't bother about that.

By Mr. VANCE:

Q. Is that process common all over the State, where a man's name has been left off and don't appear on the delinquent list?—A. All over; everywhere. In that connection permit me to say, he makes that statement in reference to those gentlemen. I would like to state—

By Mr. LAPHAM:

Q. In reference to whom?—A. I would like to state how the capitation tax was paid under the auditor's appointments; to the auditor's appointees at that very election in the city of Richmond, within his own knowledge. I think, under the law of Virginia, when it is examined (it is not necessary for me to give a legal opinion, and I don't propose to do so), but I think it is without question that the auditor has no right to appoint these collectors at all; but granting that he has, it has never been claimed that he has a right to appoint more than one for any corporation or county. In the city of Richmond they had a regular qualified collector of delinquent taxes. This gentleman was doing his business pretty rapidly, but it became necessary before the end that they should have somebody else. I will not state why they concluded to have some one else, because I don't want to cast imputations without knowledge.

By Mr. VANCE :

Q. Very well.—A. And I won't do it; but suffice it to say they did select a second man to be the collector of delinquent taxes. Mr. John S. Wise was a candidate for Congress, and I must do him the justice to say he was not in the city at the time, but this collector opened his headquarters in his office—the United States district attorney's office—in the custom-house at Richmond—a State officer in the United States custom-house at Richmond! He locked his doors, and no one was permitted to enter there without passing a guard at the front door, accompanied with a guard through the first room, then through the middle room, until you got into the *sanctum sanctorum*, when the business was done, and that was guarded by men at every door. Streams of colored men were passing in through this United States district attorney's office thus guarded. I was warned by a Republican. I will not call his name here to-day, because I don't want him to be tabooed, as I know he would be; but he never voted any but a Republican ticket. He is as high a man as anybody in the United States, and is familiar with the facts. He came to my office and communicated to me that there were things going on in that inner temple that, if known, would shock the whole community, and that I had better be on my guard, or I would be cheated out of my election. He says, "I am going to vote against you, but I don't want to see you cheated." I knew that the collector was a State officer, and I had a right to watch and note what was done in the name of Virginia. I employed a man who is now in this Capitol, and gave him money with the delinquent list, and told him to go there and demand the right to enter and pay the delinquent taxes. If this man was a collector of delinquent taxes, I had a right to pay them. I sent that man there. He was threatened with death if he didn't leave.

By Mr. LAPHAM :

Q. One moment; did you go with him?—A. No, sir.

Mr. LAPHAM. Then I object to your stating it.

Mr. VANCE. What do you object to?

Mr. LAPHAM. I object to his stating what he was informed by the man he sent. If he is in this Capitol let us have him.

Mr. VANCE. Will you say, candidly, that you have not called for any such information in your examination?

The WITNESS. I am reading this, and I want to answer the line of John Wise's testimony, in which he charges frauds upon the Democracy in Richmond. I want to defend my people against his imputations.

Mr. LAPHAM. This witness has now stated that he gave a man money and sent him there for the purpose of paying the capitation tax; now I object to his stating what that man reported to him. He says that man is in the Capitol; let us call him.

Mr. VANCE. He reported what was the result of the mission, whether he was ready to pay his taxes.

Q. Did he say—

Mr. LAPHAM. I object to it.

Mr. VANCE. I insist upon its going in.

Mr. LAPHAM. Very well.

The WITNESS. He reported that he went there and that they threatened him with violence, and that he was ignominiously expelled.

By Mr. VANCE :

Q. Did he go up to the office to pay?—A. He did, and when the eye of the "boss" fell upon him he had to go, and the reason given for his ex-

pulsion was that he was George Wise's friend and was a spy in the camp. Thinking I was in danger, after the communications made to me by the Republican referred to, I then went to see a colored man who was indebted to me for some favors. He also was a Republican, but I knew that his personal feeling toward me was such that he would do me a favor to protect me against wrong, and I asked him if he would not go in there and report to me if anything wrong was being done. He consented to do so, and he went in and he was put out, because somebody in there discovered——

Mr. LAPHAM. Well, I object now to his stating what he reported.

Mr. VANCE. Of course, the same objection.

Mr. LAPHAM. I want the record to show it.

Mr. VANCE. Of course.

The WITNESS. He was ejected. Now, sir, it was discovered on the day of election that this collector had executed no bond. The law required that no man should enter upon the discharge of the duties as collector of delinquent taxes until he should have entered into sufficient bond or security not only for the faithful discharge of his duties but to render a true account of the revenues which he should receive. It was discovered on the day of the election that this second tax collector had executed no bond, and that was discovered by the judge of the court. He went to the auditor's office in person and demanded to see that bond, and there was informed that he had executed no bond, and that there was no bond. The reason for that inquiry was that the information had been given to me and others that not a dollar had been paid for these capitation taxes issued. That one dollar in silver had answered the whole purpose; that when a colored man would come to the front door a dollar would be handed him by the doorkeeper, and he would pay it in the rear room, and then the doorkeeper in the rear room would carry it around to the keeper of the front door again, and that one dollar had paid nearly four hundred capitation taxes in one night.

Q. That is the benefit of keeping money in thorough circulation.—A. Of course; I suppose that when the assessments had all been received at the proper office, that the amount was subsequently provided for. The judge of the court gave an order under his hand, as it was his sworn duty by law to do, that the judges of the election should pay no attention to the receipts of John D. Snelling—capitation receipts—because he was not an officer, had not been properly appointed, and had never executed a bond.

Q. His receipts were not valid?—A. Yes, sir; under that order of the judge, late in the day—for that order was given about 12 o'clock, after nearly all the receipts of Snelling had been received—the judges of election commenced, when there were only a few of them left, to refuse the receipts issued by Snelling. Those receipts were almost exclusively issued to negroes. They seized upon that pretext and went to the white precincts where there were hardly any of the Snelling receipts—I don't suppose half a dozen refused in the whole course of the day—and arrested every judge of the election at the Democratic precincts, and arrested my challengers, and then refused to issue warrants for the arrest of the judges in the colored precincts, where the Snelling receipts were being refused; warrants of arrest were declined positively in my presence. The United States commissioners refused to give a warrant for the arrest of the judges at the colored precincts, while they kept the strong Democratic precincts closed for several hours in the day. The judges were detained at the custom-house, and the polls closed with a line of voters that would reach two squares, deprived

of the right to vote. They closed the polls at that hour of the day when the workingmen from the Tredegar and Belle Isle works—every man of whom it was known was going to vote for Mr. Massey and myself and kept them closed until the hour which had been given them to vote had passed, and they had to return to their work and there was no other opportunity left for them. They kept my challengers under guard at the custom-house, and when I went down there and demanded to know the cause of their detention and appealed to the United States commissioner, who was standing there, to either discharge them under bail or tell me what was the charge against them, he refused. Finally, after holding them three hours, he confessed he had no charge and that they might go. At the end of that poll—there can be no mistake about this—at the end of that poll there were two squares of men who were kept from the right of the elective franchise that day by this transaction. I asked them as an act of justice to Mr. Massey and myself to wait there and give me their names and to tell me how they would have voted, and I wrote them down with my own hand and counted them, and I can swear here there were three to four hundred in two precincts, without naming the other nineteen in the city of Richmond, who were kept from voting by this process.

Q. But there were no arrests made at the colored precincts?—A. Yes, sir; one United States marshal, hearing that arrests had been made at the other precincts—he was a Republican—and knowing that the United States officials at the custom-house had decided that the refusal to receive the Snelling receipts was a cause of arrest, concluded that it was his duty as a marshal to arrest the judges at this colored precinct in Jackson ward, because they were doing the same thing there. He was proceeding to the custom-house with the judges of election under arrest for doing that very thing, and he met Mr. John S. Wise on the street and was ordered by him to discharge them, and told that he did not understand his duty. Mr. Wise was the United States district attorney.

Q. And they were discharged?—A. Yes, sir; they were discharged, and the election was not disturbed in the colored precincts one-half an hour during that day.

Q. Was bail tendered, if you recollect, for the Democratic challengers?—A. I tendered for my challengers bail to the amount of a million, if required. I was able to give it, for I had the assurances of gentlemen who were worth it.

Q. Was bail also tendered for the judges?—A. Yes, sir; we had to keep gentlemen who had money at the custom-house to give bail for the judges, so that a free election might be had in the Commonwealth of Virginia.

Q. You say bail was refused?—A. After they kept them two or three hours they gave bail; but finally the judge himself had to go to the custom-house, and he had to enter into some arrangement with them.

Q. What judge?—A. Judge George L. Christian.

Q. Had to go himself to the custom-house?—A. Yes, sir.

Q. To see that they were permitted to have bail?—A. Yes, sir.

Q. Well, that was all in the interest of a free ballot and a fair vote, was it?—A. That was in the interest of a free ballot and a fair vote. I want to say that I think it is fair to give testimony properly, so as not to give it any improper force. I stated just now that Mr. John Wise discharged the judges of election who were arrested in the Jackson ward by a United States marshal. I intended to state then what I ought to have stated, but in the hurry it slipped my mind that I did

not know that fact personally. That was communicated to me. I think it is but fair, because I don't want to do any injustice to any of those people. My object is to give the real, genuine facts, and I ought to have stated it then; and I want to make the statement now that that fact was communicated to me; but it is a fact that the judges of election in the precincts which were known to be Republican were not arrested, although the same cause existed for it as in the Democratic precincts.

Q. So you have stated; now just go on and state anything else you want to state in relation to the testimony of Mr. John S. Wise.—A. Well, I don't know as I care to go into his testimony; it is very long and Judge Lapham seems to object.

Q. You can respond to it just as you think proper.—A. I am making a long speech, and I don't want to take up a great deal of the time of the committee; I just want simply to say generally that so far as all the elections in Richmond are concerned, Mr. John S. Wise has uniformly acknowledged that they were perfectly fair, and has never made any complaint that he was deprived of any votes by any action of our people there. I have seen a communication from him in the Richmond Whig, in which he acknowledged that he was fairly and squarely defeated, and had no complaint to make.

By Mr. LAPHAM:

Q. You mean defeated in the election in Richmond; of course you mean there?—A. I mean in the previous election. He was my opponent in the election before the last. He had no complaint to make then. And I will say as to these tax-receipts which he charges to be forgeries and perjuries, I was present in the United States court at the examination, as counsel for some of these gentlemen, and not one illegal vote was shown. There was a man behind every receipt, a man to speak for himself, and he was found in every case. There was no fraud and nothing wrong detected after the minutest examination.

Q. Let me suggest now—it will save me recurring to it—is your present seat contested?—A. No, sir; my majority was over 2,700.

Q. Well, there is no contest pending in your case?—A. No, sir. I want to state that I am confident; I thoroughly believe and am convinced that but for the interruption of the election by the arrest of the judges my majority would have reached nearly 4,000. My opponent in that contest was Mr. Smith.

Q. Well, you got enough; what is the use of making any statement about it?—A. Yes; but I was just speaking of the wrong that I believe was done us by this process.

By Mr. VANCE:

Q. Did you hear many speeches of the Coalition people during the last campaign?—A. I did.

Q. Will you state what you know on the subject of the drawing of this color line of which some complaint has been made?—A. I will. The charge has been made here in my presence that we, the Conservative Democrats of Virginia, drew the color line. I have here—I don't know whether it has been before the committee—the Conservative platform, in which they positively refused to draw the color line.

Q. We would like to have that go into the testimony?—A. Yes, sir.

Mr. LAPHAM. I would like to examine that platform before it is put in evidence.

By Mr. VANCE:

Q. The paragraph relating to that matter. We don't want to encumber the record more than necessary.—A. It is the Virginia Democratic platform. I was present in the meeting of the committee which discussed that platform. Mr. Goode was one of the members of the committee. I heard the discussion, and our people not only did not draw the color line, but were very decided against it, and that position deliberately taken by our party at Lynchburg caused our opponents to be very much alarmed.

Q. Now, let me ask you, then, if the Readjuster or Coalition speakers and papers did not taunt the Democratic party with trying to cotton-in with the negroes?—A. I have here the Richmond Whig, and I would like to have it go in the testimony.

Q. I would like to have it put in.—A. That we were taunted with the fact that we had not drawn it, and when we gave negro barbecues in the country, especially at Southampton, on the 6th day of November, the Richmond Whig came out and denounced us as the miscegenation-ists of Virginia.

By Mr. VANCE:

Q. Can you lay your hand on that paper?—A. I can lay my hand on that right now; it is November 6th, I think.

Q. Please mark such portions as you wish to go in.

The WITNESS read as follows:

[Editorial from the Richmond Whig, July 6, 1883.]

Will the Bourbons of Lee County again read the invitation:

"All colored Republicans who stood by and nobly assisted in the re-election of the old tickets are cordially invited to be present at a dinner to be given them by their white friends at Jerusalem, on July 4th, 1883."

Alas! and have the colored Republicans of Southampton reached such an abyss of degradation as to meet on terms of social equality with this "double-faced, double-tongued, this miserable abortion of Bourbonism, the so-called Democratic party of Virginia? When we compare Bourbon practice in Southampton with Bourbon pretension in Lee County, we are again forced to exclaim—"Great God! What a fraud! What a farce! What a monstrous bringing forth is this of vice and idiocy! Behold its mien! Mark its features! Hiss it! Kill it! Whelm it with the inextinguishable laugh of scorn and contempt!"

[From the Richmond Whig of November 5, 1883.]

BY TELEGRAPH FROM ALL SECTIONS—A FATAL RIOT IN DANVILLE—COLONEL SIMS DENOUNCES THE DANVILLE CIRCULAR—MR. MADDOX'S MANLY APPEAL, ETC., ETC., ETC.

[By Southern United Press.]

SERIOUS RESULTS OF A FOOLISH QUARREL—DANVILLE PEOPLE INDULGE IN PISTOL-PRACTICE, KILL FOUR PERSONS AND WOUND ABOUT A DOZEN OTHERS.

[Special to the Whig.]

DANVILLE, November 3.

About noon to-day a quarrel arose between a white and a colored man. The colored man complained that he had been rudely pushed by the white man as they passed each other on the sidewalk. The quarrel ended without blows. Some three hours later the parties met again, when the white man attacked the negro and began to beat him, while two white men, with pistols drawn, kept the gathering crowd back to let the fight proceed. It is supposed that some one undertook to take the pistol from one of the white men, and in the scuffle the pistol was discharged without injuring any one. Immediately other shots were fired, and the crowd began to disperse. As soon as the firing began, men and boys began to assemble, and indiscriminate firing was opened on the scattering crowd, which does not seem to have been armed and able to return the fire. One man, while running from the crowd, was met

a hundred yards from the scene of the fight, and deliberately shot by a white man and instantly killed. The result of the riot is: Three colored and one white man killed; one white youth probably mortally wounded; some two or three others (white) wounded more or less severely, and five or six negroes wounded.

The excitement in town was intense. The town is quiet now, and people begin to realize what a serious matter grew out of a trifling personal quarrel.

C. M.

COLONEL SIMS DENOUNCES THE DANVILLE CIRCULAR.

[Special to the Whig.]

DANVILLE, November 3.

Col. Wm. E. Sims addressed a large assembly to-night in an open-air meeting in reply to the circular entitled "Coalition Rule in Danville."

In the assembly were many white men, and among them several signers of the circular. Colonel Sims opened by denouncing the concoctors of the circular, who were afraid to circulate it at home because they knew its falsity would be at once recognized here where the real facts are known. He took up the allegations in the circular and analyzed them one by one, and exposed the absolute falseness of each.

The extreme vulnerability of the circular before an assembly like that of to-night, informed of the real facts, made it a target as easily demolished as the rotten hulk of a worm-eaten ship. Colonel Sims's assault upon it was as the firing of a broadside from a seventy-four pounder.

After fully exposing the falsehood of the circular he arraigned its signers as liars and cowards. The speech produced a great sensation and much enthusiasm, but it killed the circular as dead as a last year's caterpillar.

G. M.

[Richmond Whig, November 6, 1883.]

ANOTHER LIE NAILED.

[For the Whig.]

PAUL'S X ROADS, ESSEX CO., VA., November 3, 1883.

A prominent Funder puts the report in circulation here to-day that the governor is sending arms and ammunition forward, with all possible speed, to Lynchburg or Danville (he had forgotten which), and troops also, as the negroes were in a state of insurrection at that point. And wanted to know if white men in Essex County were going to vote with such a crowd as that. I pronounced it an infernal lie, gotten up to help the Democrats.

WM. T. BLAKE.

[Editorial from the Richmond Whig, November 6, 1883.]

A PLOT.

We call attention to the communication from Essex, headed "Another Lie Nailed," *because it shows that the row at Danville was a premeditated thing on part of the Funders, and that confidential notifications of it had been sent out before it occurred.* No news of the Danville affair (which took place on Saturday afternoon) could have reached Essex on that day, either by mail or telegraph. The historical student will remember well that St. Bartholomew's Eve (although it took place in the days before mail and telegraph) was in like manner notified to distant parts of France.

[From the Richmond Whig of July 14, 1883.]

THE JERUSALEM BARBECUE.

[For the Whig.]

FRANKLIN, VA., July 9, 1883.

I give below a full description of the barbecue given the Straightouts on the 4th day of July by the Funders as a tribute of respect of their recent victory.

[Here follows a diagram of the room and showing a position of the tables, &c., which we cannot reproduce.—WHIG.]

The above cut is an exact representation of the tables. On each side it was crowded with colored men known as Straightouts; on the north end by colored women and children; on the south end by Funders; the table near the gate on the inside of the ring was the table containing the provisions; the one near the south end accommodated Dr. Bryant, county chairman Democratic executive committee;

Dr. Lankford, Funder supervisor, Jerusalem district; and a few of their select friends D. J. Watkins (white) acted as quartermaster; Billy Hamilton (colored), chief steward.

It is a well-known fact that the Funders have, ever since the organization of the Readjuster party, been cursing and accusing them of being allied with the negro, lovers of them, and acting on social equality with them. At the same time, there never has been an instance in Southampton County in which such a fair specimen of social equality was publicly manifested.

The committee of arrangements, composed of colored men and women, waited upon the guests. They were designated by a piece of blue ribbon pinned upon their left breast, and consisted of the following-named persons: Mrs. Charles Blount, Green Smith, Rachel Hardy, Miss Phœbe Luda, and Miss Mittie Blount; Bill Hamilton, Bill Turner, Neverson Cobb, Henry Darden, Charles Blount. The quartermaster, Darden Watkins, was also inside the ring superintending the committee of arrangements. It is known that he is a deserter of the Readjuster party, and upon the grounds that he had followed Mahone long enough.

Speeches, however, were made before dinner by a few of the representatives of the Straightout faction, namely, I. Stony, J. K. Britt, and A. A. Jones. The Funders selected as orator of the day A. A. Jones, who came to this place a few days before election from Weldon, N. C., worked in their behalf until election, and has remained here ever since, being supported by them for the special purpose of the above honor conferred on him. Jones wears a badge representing the Grand Army of the Republic, and fought during the war in the Federal service, having enlisted in a Massachusetts regiment. He says that a man should not be allowed to vote unless he is worth a certain amount of real estate, and that a man possessing no property should not be allowed equal voice at the polls with a man of wealth. This goes to show what scruples the Funders stoop to in trying to effect their plans by selecting a man who fought them during the war and one that claims to be a Republican.

S. G. Newsome (colored), representative of the Eastern Enquirer, published in Weldon, N. C., acted as secretary. He claimed to be traveling in the interest of the paper. There was a grand time in Franklin, and an oration delivered by Mr. Scott Wood, of Staunton, Va., a graduate of Howard University. Mr. Newsome made an impression that he came to Franklin for the purpose of hearing the oration, but left soon after for Jerusalem, in which meeting he presided as secretary. It seems very strange that he could claim to be working in the interest of the negro race and preside in any capacity in a Democratic meeting. The public will, from the facts given in this article, see what steps are being taken by the Straightouts and Democrats against the Liberal movement. Remembering that the Funder party has always accused the Readjuster party of approaching social equality, I will now leave it to the public to say which party shows the most social equality. I am glad to see that our party is so far from that that they are even unmixing our public schools by taking white teachers out of the colored schools and replacing them with colored teachers. The Funders may want social equality, but we, as colored Readjusters, do not. We want equal political rights.

READJUSTER.

[From the Richmond Whig, July 9, 1883.]

HOW IT WAS DONE AT JERUSALEM.

[For the Whig.]

FRANKLIN, VA., July 5.

I wish space in your valuable paper to give an account of the barbecue given by the Funders of Southampton County, at Jerusalem, on the 4th day of July, as a tribute of respect to the Straightouts who helped them in electing their ticket on the 24th of May. Suffice it to say that the meeting was presided over by colored Democrats, with their bosses looking on. The meeting was called to order by I. Story, chairman of the Straightout committee of Southampton County, after which J. K. Britt was elected permanent chairman for the day, with S. G. Newsome, representative of the Eastern Enquirer, published at Weldon, N. C., as secretary.

J. K. Britt then ascended the stand and made a short speech, in which the following remarks were made: "That the colored man elevated himself when he voted as he did in the last election; that they voted like men of intelligence, and it was the most brilliant record in history since the war." We leave this for the public to draw their inferences as to his knowledge of history.

Rev. Whidby, a Methodist preacher of the Zion connection, was introduced, and sang a hymn and prayed, as he did a few days since at the hanging of Lewis Carter.

One A. A. Jones hailing now from Weldon, N. C., a former resident of Boston, Mass., was next introduced. He proceeded in his own peculiar way to congratulate the Straightouts and eye his Democratic bosses. He made several statements, a few of

which I will mention. He stated that they were celebrating the double independence day. That the colored men had shown their intelligence by the vote of May, and that it was the greatest epoch in American history. That the evils among the negroes of the South was stealing, laziness, and idleness. It is to be remembered that this is the same Jones who came to this place a few days previous to the recent election and has remained loitering around town and getting his board from those he worked for, and Jones said that he intended staying in the county until he downed Mahone and his party.

The closing exercises were conducted by J. W. Weaver, of Nansemond County. His speech was commenced by referring to Thomas Jefferson and J. Q. Adams, after which he forgot to mention the issues of the day, and commenced upon Mahone. However, he did not succeed in making his speech; being interrupted by the cry for dinner, the crowd dispersed. The facilities for feeding were great; one table was arranged for the negro Democrats, another for their bosses. They could be seen eating and looking at each other. The crowd consisted of probably three hundred persons, women and children forming quite one-third; the other two-thirds formed of white and black Democrats. D. J. Wadkins, white, acted as quartermaster, and William Hamilton, colored, as chief steward. Thus the day was spent in Jerusalem.

REAJDUSTER.

Mr. LAPHAM. I think the whole of this platform had better go in if any of it does.

Mr. VANCE. Very well, then; I was only trying to save the encumbering of the record. If you are willing, I am anxious it should go in.

Mr. LAPHAM. Yes; I am willing it should all go in.

The platform is as follows:

PLATFORM OF THE VIRGINIA DEMOCRACY.

We give below, carefully corrected, the platform of principles, and the resolutions embodied therein, which were adopted by the recent Democratic convention which assembled at Lynchburg, on July 25:

I.—*Taxation.*

We oppose any increase of taxation whatsoever, directly or indirectly.

II.—*The State debt.*

The Democratic party accepts as final the recent settlement of the public debt, pronounced constitutional by the courts of last resort, State and Federal, and will oppose all agitation of the question, or any disturbance of that settlement, by repeal or otherwise.

III.—*Internal revenue.*

We favor unconditional and immediate abolition of the internal-revenue system—a nursery of spies and informers, a menace to the freedom of elections, an intolerable burden on the tax-payers, a source of the greatest corruption, and in its practical operation a special burden on this State and her interests.

IV.

We favor a tariff for revenue limited to the necessities of a Government economically administered, and so adjusted in its application as to prevent unequal burthens, encourage productive interests at home, and afford just compensation to labor, but not to create or foster monopolies.

V.

The Democratic party of Virginia, having founded and organized the public school system, and originated every act of legislation which secures its efficiency, pledges itself to its continued support until every child in the Commonwealth, of whatever color, may secure the benefits of a free education.

VI.—*No mixed schools.*

We oppose the mixing of the white and colored races in the public schools, and the placing of colored trustees and teachers over white children; and are in favor of preserving the school organizations for the two races, as separate and distinct as pos-

sible, giving to the colored people for their schools all the preferences and privileges which we demand for the whites, including colored trustees and teachers and making no discrimination in the distribution of school funds on account of color. And we pledge the Democratic party to adopt all necessary legislation to perfect this plan as best for all concerned.

VII.—*Strict economy.*

We demand and will exact strict economy in all the branches of the Government, State and Federal; and that the number of officers, and the amounts of their salaries, shall be reduced and kept within the minimum requisite for their due performance of the public service.

VIII.—*Real civil service reform.*

We demand such real civil service reform as will make merit the test of official fitness and exclude the loathsome system of bargain and sale of office, and the partisan preference for the ignorant, vicious, and corrupt, which are now the disgrace of the State and Federal Governments; and we denounce the sham methods which have heretofore been practiced and which have rendered examinations, investigations, and trials, new sources of corruption and new objects of just derision.

IX.—*Opposition to bossism.*

We are inflexibly opposed to the system of bossism which befits only the minions of tyrants, and which, at war with every principle of honor, manliness, and republican freedom, has been but recently introduced in Virginia, only to corrupt, degrade, and disgrace her.

X.—*Adherence to the National Democratic party.*

We reaffirm our adherence to the National Democratic party—the faithful defender of the rights of the people and of the States, the upholder of freedom of elections, of honesty, and economy in administrations, of low taxes and equality of public burdens, of the rights of individuals against monopolies, and of that cardinal doctrine of liberty that governments are made for the people, not people for governments.

The following resolutions were also embodied in the declaration of principles as part of the platform:

Ring rule in Virginia.

We denounce the ring now in power in Virginia and masquerading under such disguises as Liberals and Coalitionists, and charge it before the people:

1. For betraying the Democrats who voted the Hancock electoral ticket, put forth as the only true Democratic ticket, into the hands of the worst political enemies of this people.
2. For supporting the partisan vote of the United States Senate whereby the removal of the disabilities of an ex-Confederate was prevented.
3. For seeking to establish a servile and subsidized press by requiring official publications to be made in partisan journals without regard to their circulation or fitness.
4. For multiplying offices and increasing salaries to reward favorites.
5. For attempting to take the business of the people out of their hands by creating more than one hundred new offices called commissioners of sale, and at the same time refusing to allow the people to elect them.
6. For attempting to legislate circuit judges out of office before the expiration of their terms, and dishonoring the judiciary in many instances by the selection of judges notoriously corrupt and ignorant.
7. For making the public offices which should be a public trust the spoil of a faction, divided out by favoritism without regard to merit.
8. For making the asylums of the insane, deaf, dumb and blind, the State University, Virginia Agricultural and Mechanical College, Virginia Military Institute, and the entire public free-school system parts of a vast machine of partisan power and plunder.
9. For attempting to gerrymander the Congressional districts of this State in outrage of fair representative expression.
10. For attempting to band together and incense the colored race against the white through leagues and religious organizations, and by false and infamous appeals to the worst passions.
11. For flooding the polls all over the State with illegal and fraudulent votes, manipulated and counted by corrupt officials.
12. For resorting to mean and trivial technicalities to count into office representatives, delegates, and officers who were rejected by the people.
13. For chaining the consciences of legislators by exacting written obligations from

them in advance to support all measures of the ring dictated by caucus, regardless of their oaths to support the Constitution.

14. For concentrating the powers of government, State and Federal, into the hands of a corrupt and intriguing oligarchy, subordinated to the power of a ring leader through the machinery of a pledge-bound caucus, and exercising those powers with shameless tyranny.

The Independent senators and auditor.

We applaud and thank the Independent senators, Newberry, Lybrook, Hale, Williams and Wingfield, and the late auditor, John E. Massey, who manfully refused to become the tools of the ring, and steadfastly maintained the liberties of the people.

The Republican party.

We arraign the Republican party as the abettor of ring rule in Virginia; as the oppressor of our section and of our people; as the foe to national concord and the promoter of race and sectional strife; as the defender of every public corruption; as creating monopolies for bribes and the blackmailing them for party profit; as the ally of corporations in their war on the people; as the advocate of high taxes; as plundering the Treasury to maintain an army of office-holders and using the office-holders to overawe the people; as the debaucher of government in every department, making even the highest judicial station the reward of party service and of pliant conscience, and as the committer of the highest public crime of the age—the theft of the chief magistracy.

Attempt to sell out Virginia.

We denounce the purpose to sell out the free people of Virginia as the supreme offense against our State, an outrage on the living and an insult to the dead; an open scorn of public virtue and a proclamation to the world that, in the opinion of its advocates, the people of Virginia possess no political principles that they will not abandon for an office or surrender to a master.

Call upon the people.

Pointing to the infamous schemes which threatened the bondage and plunder of the people of Virginia, and to the ignoble Federal Administration which aids them with all its powers, we call upon all Democrats, and upon all good and true men, of whatever previous political bias, to strike hands with us to the end that the State may be redeemed from treacherous rule, an honest government established, and the government of the people, for the people, and by the people may not perish.

The WITNESS. I want to file, as illustrating this point, a circular which was issued by the Readjuster party. I want to call attention to it and make some comments upon it. It alludes to my own district, and I know all about it. They not only tried through their press, and through orators, but in every way possible to arouse the animosity of the colored people against the white people, whenever they had colored men to listen to them. If they happened to be in white crowds they would denounce us as miscegenationists and as negro worshipers, and as seeking social equality with blacks. This circular relates to the last election.

The witness read as follows:

SIX COLORED MEN MURDERED BY BOURBON MOBS.

Colored men, avenge by your ballots, on Tuesday, the 6th November, the murder of five colored men at Danville, Saturday night, and the murder of Robert Robertson in Hanover, by a Bourbon-Funder mob.

Go to the polls and avenge, by a solid vote, the murder of these men.

This was placarded all over the county of Hanover, "Avenge the murder of Robert Robertson." The Richmond Whig came out in an editorial and described the cruel and cold blooded murder of Robert Robertson by Funder mobs. Robert Robertson, as known to me personally, because I was asked to be the counsel of his slayer and I declined to be, was killed by a member of the Readjuster party, one of their own club.

By Mr. LAPHAM:

Q. Are you stating what you know?—A. I do. The Richmond Whig came out after that and confessed that it had made a mistake, and notwithstanding that confession this circular was placarded all through the county of Hanover, and aroused the ignorant masses to band themselves together against the white people.

By Mr. VANCE:

Q. Is there any date to that?—A. No, sir; no date, nor any name.

Q. Do you know whether you saw that after the Whig had confessed it was a mistake?—A. Oh yes. It was placarded all over the State, and I say I know personally that no white man nor Democrat had anything to do with the taking off of Robert Robertson. He was murdered by a colored thief in the act of committing his theft, and was seen by Robert Robertson doing it, and he murdered him to prevent detection.

By Mr. LAPHAM:

Q. You were there, then; you saw and know all this?—A. Oh, no, sir; I was not there when the murder was committed, but I know all of the facts because there has been a judicial investigation.

By Mr. VANCE:

Q. You know from the judicial examination?—A. Oh, yes; there has been a judicial investigation. I was applied to to be counsel, and therefore gave it more close attention than I otherwise would. Now, I want to call attention to another fact. Mr. Goode there was present and witnessed it as I did, and so did thousands of others; General Wickham, too—they took from the city of Richmond, during the recent election, everybody that they could rake from our alleys and purlieus, with a band of music, and carried them to Hanover Court-House, and there they marshaled their forces, and went to hold their meeting upon the court green. We held our meeting, General Wickham being our candidate and a Republican—not our candidate, but a candidate—and we voted for him. Colonel Goode spoke first, I spoke next, General Wickham last, and at the conclusion of our speeches a colored man, who is now in this Capitol, desired to speak. He is a Republican, and everybody knows it, but he said he wanted to speak. A great many of the colored people of Hanover were for Wickham, because he is a Republican and because he has always been kind to the colored people. He has done many acts of kindness for them. This colored man came up and very politely asked if we gentlemen had any objection to his speaking from the stand from which we had spoken, and we told him no, that we would be very glad for him to speak. I didn't know him. I had never seen him before, and didn't know what he was going to say. He commenced making his speech, and General Wickham asked the white people and colored people all to hear him patiently, and they did. The Readjuster Coalition meeting was going on about 100 yards off. They saw this colored man speaking and came over to our stand, and one of the leading Readjusters of the county of Hanover came up there and said, "Oh, you damn nigger, allowing you to speak here, you damn nigger." Well, the colored fellow turned it upon him very happily. He turned around and appealed to his race, and said "You see how they speak of us when we refuse to be their slaves and do their bidding. When we, as freemen, choose to exercise the right to an expression of our opinions, they call us damn niggers. They are our pretended friends when we vote as they dictate." This fellow walked up on the stand and shook his fist in the negro's face, and wanted to strike him. I went to

him and said: "My dear sir, you shall not strike that man; you have no right to do it; leave the stand," and I shoved him off, but it was impossible to get rid of him until he was taken off by some gentlemen there who did not want a disturbance made. They made every effort to disturb our meeting; did everything to make confusion, and never, on any occasion, did a negro make his appearance in our midst that they did not revile him, and, in many instances, struck and beat him. Now, as to their own race, Mr. John Wise said he never heard of an instance in Virginia where colored men had abused or maltreated their own race for voting the Democratic ticket. I am surprised that he should state that he had never heard of that, for there is an instance in the city where he lives, and a notable one. Abram Hall, whose house had to be guarded by white men at night to keep it from being burned and the man murdered solely for the reason that he had dared to vote the Democratic ticket. That poor fellow was tabooed by his race, left an outcast, died neglected, and white men had to bury him, and none of the colored people went to his funeral, and it was all because he had exercised his right as a freeman to vote as he pleased. That, in Richmond, is a notorious fact, published in all the papers. Mr. Wise must have forgotten it, because it could not have escaped his observation; it is impossible.

Q. Well, do you know of any other instances of that kind?—A. Oh, I could recall many of them, they are so numerous. Why, it is a notorious fact that it is not safe there for a colored man to vote the Democratic ticket. Let me tell you what has occurred in my own experience. When I was a candidate for Congress and Mr. John S. Wise was running as a Democrat against me (he was a candidate for Congress and elector on the Hancock and English electoral ticket) he said that no man could vote for the Garfield and Arthur ticket without dishonor. He used that expression in public speeches; said that no man was a Republican in Virginia—I have it here in his own language—"could be a Republican in Virginia who was not an apostate for the sake of his apostasy." That is the very language he used.

Q. "Who was not an apostate for the sake of his apostasy"?—A. "Who was not an apostate for the sake of his apostasy," for the rewards of office. He ran with those sentiments as elector on the Hancock and English ticket. Some negroes came to me and said that I had been kind to them, and they wanted to vote for me. They did then what they have always been doing. They called the churches and acted upon their cases. They threatened excommunication from the church if they voted outside of the line of party. Mr. Wise was their candidate they were told; though not an avowed Republican he was a candidate to divide the Democratic party, to act as a wedge to split us, and actually church meetings were called to sit upon them, and never does any election occur that the churches are not called the night before the election, and each colored man in Virginia is told, "You are to take your ballot from this man; he is a member of this church; he is selected and appointed to take your ballot, and you must not take it from anybody else." That gives you the meaning of Senator Mahone's address, or rather communication, as chairman of the Readjuster party in the recent election; that he wanted to be put in communication promptly with the ministers of all the African churches in Virginia. The churches were to be used to control them, and to force them to vote the Republican ticket or Readjuster-Coalition ticket. One poor fellow came to me with tears in his eyes—

Q. What was his name?—A. Well, sir; I will not give his name, be-

cause it would not be safe for him. I have pledged my honor never to mention his name. He comes to my chamber. He never goes to my kitchen. He came to my chamber. I had saved him from being sold out and driven into the street, and it was a voluntary act on my part before I was ever a candidate for Congress, or ever dreamed of coming to Congress, and he told me that he wanted to vote for me, but he says, "I cannot." "I don't want you to think I haven't gratitude in my heart, but you know what it costs a colored man to vote against the edicts of the party. They have told me in the church I must vote this way; they will even take my religion away from me."

Q. I asked you some time ago, but we have got away from it, to give us the substance, if you could remember, of the speeches of the Coalition leaders in the last campaign.—A. Why, sir, the substance of them——

Q. The point and policy.—A. I am going to do it. There is no policy in it and no point either, but the substance of them was that the Democrats had put upon them the whipping-post, and in almost every instance the very speaker from whom I heard this had voted for the whipping-post. They generally denied it when you charged it upon them, but we were always careful to have the senate or house journals, and proved it on them, and then they would make some excuse that they voted under misapprehension or something of that sort.

Q. Will you give the names of any?—A. Pat McCall met Mr. Harris, at Hanover Court-House, in joint discussion, and Mr. Harris asked him if he did not vote for the whipping-post, and he denied it. I held the senate journal in my hand, and Mr. Harris proved it upon him by the production of the journal. I believe that Mr. I. C. Fowler, who has been examined by this committee, was another of the same stripe. There is hardly a Readjuster leader in Virginia who did not vote for it. There is hardly a Readjuster leader in Virginia who did not vote for the capitation tax as a prerequisite to voting. Senator Lapham asked just now if any Democrats voted against it. I voted against it when it was proposed as an amendment to the constitution and voted for its repeal, and was always opposed to it, but there is hardly one of the Readjuster leaders you can find that did not vote for all these laws; but they made that the staple of all their arguments; that they were going to give the negroes something that they had not enjoyed under Democratic rule.

Q. Did they say anything about taking the free schools away from the colored men?—A. Oh, yes, sir; they went so far as to charge, and drew pictures of it, that the Hon. John W. Daniel, of Lynchburg, was a school-house burner; that he wanted to burn down the school-houses of Virginia, and represented him with a torch in his hand setting fire to the school-houses, and then appealed to them, "Are you going to vote for a man who is going to take the school-house from your little daughters and sons?" and such stories as that. Although that honorable gentleman had come out under his own hand, in a card, and denounced it as a base falsehood, they still reiterated it and placarded it all over the State, and represented him as a school-house burner. When they went to white districts where there was a large white majority they would represent the Hon. John W. Daniel standing in Lynchburg—I will use their expression, for they were very eloquent in their oratory in Virginia—John W. Daniel chassèing with colored men on each side. They would go through all the antics, flanked, as they called it, on the right and left by his colored friends.

Q. And when they would go to black districts he was represented as a school-house burner?—A. We were school-house burners.

Q. Now, did you hear anything said by anybody during the campaign about putting the negro back into slavery if the Democrats got into power?—A. Oh, yes; that was one of their favorite arguments.

Q. Well, generally, they didn't dare to assert that in public, but would do it privately?—A. Whenever there was a public meeting the negroes would be told that after that meeting was over some negro orator would address them privately. They would go off to some little school-house in the woods, like Simon Suggs did at the camp-meeting, when he went off to pray over the amount he had collected to build a church, and never came back any more. They would go out in the woods to some place, all alone by themselves, to pray over them, and when they would get them there in the woods they would tell them that the Democrats wanted to put them back into slavery, and all that kind of stuff.

Q. Did you ever hear any colored men say so?—A. Yes, sir; that is one of the favorite arguments of the colored men.

Q. From your observation of the people of Virginia and their political and social relations, aside, now, from these heated and bitter political contests, what would you say was the general temper and disposition of the white people towards the blacks?—A. It is as kind as it can be, and the blacks themselves think so.

Q. Well, as a general thing, they reciprocate that kindly feeling?—A. Oh, they reciprocate it. The Hon. Henry Wilson came to my city and while in conversation with my uncle, Governor Wise, a colored procession—

Mr. LAPHAM. That was a great while ago; now it don't seem to me relevant.

Mr. VANCE. It illustrates the temper of the people, I think.

Mr. LAPHAM. Hardly; it was before there was any Coalition or Readjuster party.

Mr. VANCE. That was the object of my question—aside from these heated political contests.

Mr. LAPHAM. I object to going back to the life-time of Vice-President Wilson.

Mr. VANCE. Well, Senator Lapham objects.

The WITNESS. Well, I will state in answer to that question that our people are as kind to the colored people of Virginia as any people anywhere.

Q. I will ask you if you have reason to know or believe that if let alone and not managed for political purposes by designing men if the two races would not be in the utmost harmony all the time?—A. All the time.

Q. That is your opinion from your knowledge of the people of Virginia of both races?—A. Yes, sir.

Q. How was the election last fall all over the State, as far as you could learn?—A. It was perfectly quiet, perfectly fair. I was in Danville and Pittsylvania County just prior to that election. I spoke there. Colonel Sims spoke the same day to the colored voters. There was no appearance of a row; no animosity; no ill will; blacks and whites were mixed together there in perfect harmony right there at the court-house in that very county of Pittsylvania, and very close to Danville. Now, there was a witness stated here a few days ago, Mr. Jake Shaw, from the county of Henrico—that is one of my counties—that the Danville riot was known in Richmond the middle of the week before it happened.

Q. Yes.—A. Well, I don't want to speak any harsh words against him or anybody else, and therefore I take it for granted that he is mistaken. I will not say—that is a bad word to use in reference to anybody—that he told a falsehood. The man was just simply mistaken, and I will explain how his mistake occurred. I was in Richmond. Nothing was known about the Danville riot prior to the occurrence. It is an utter mistake. I know it positively. I associate among those people thoroughly, and with all classes, and nobody knew anything about it.

Q. Now, if there had been any design as a party measure to get up that riot would not you have been more likely to know it than Mr. Shaw?—A. I would have been more likely to know than anybody. There was nothing that I didn't know about the party there. I knew all about the party machinery, and I knew everything that was going on. Nobody ever dreamed or thought of such a thing. The way his mistake occurred is this: I heard it three days before it came out in the paper. The telegraph announced it Saturday evening, and the next morning's paper did not appear until Tuesday morning.

Q. Is there no Sunday or Monday morning paper?—A. There is a Sunday morning paper, but that had gone to press.

Q. Is there no Monday morning paper?—A. No, sir; and consequently it did not come out until Tuesday, and that's the way he has made his mistake.

Q. Well, that is very likely. Now, I was going to ask you if you are prepared to say what was the aggregate vote of each party in the State, and whether it was greater or less than previous elections?—A. I have got the number of votes here, and you can verify my figures by the American Almanac. According to Spofford's Almanac the Coalition vote in 1883 was 124,000, and in 1882 only 99,992, an increase in that time, you see, of fully 25,000. And in 1881, the governor's election, it was 111,473, so that at the last election—when they say they were intimidated—their vote was greater than it has ever been before.

Q. By about how many?—A. Well, sir, it was 25,000 greater than in 1882, and 13,000 greater than in 1881; and in November, 1883, nine colored men were elected to the legislature—one to the senate and eight to the house.

Mr. VANCE. I would like to have these official votes by counties put in the testimony.

They are as follows:

LAST YEAR'S VOTE.

The following is republished by request. It will enable you to compare this year's vote with it:

For Congressman at Large.

	John S. Wise.	John E. Massey.	John M. Dawson.
Accomack.....	1,269	2,000	16
Albemarle.....	1,852	2,254	18
Alexandria.....	197	185	189
Alleghany.....	241	274	.....
Amelia.....	606	230	98
Amherst.....	889	1,589	2
Appomattox.....	720	559	3
Augusta.....	2,014	2,782	1
Bath.....	299	315	.....
Bedford.....	1,706	2,672	7
Bland.....	260	381	.....
Botetourt.....	683	1,008	1

For Congressman at Large—Continued.

	John S. Wise.	John E. Massey.	John M. Dawson.
Brunswick.....	1,438	247	1
Buchanan.....	300	47	.....
Buckingham.....	1,310	687	5
Campbell.....	1,041	1,610	23
Caroline.....	1,152	1,040	65
Carroll.....	754	856	.....
Charles City.....	481	214	24
Charlotte.....	1,347	585	.....
Chesterfield.....	.....	.....	.....
Clarke.....	351	981	2
Craig.....	39	165	3
Culpeper.....	950	1,165	4
Cumberland.....	897	287	.....
Dickenson.....	170	37	.....
Dinwiddie.....	1,173	305	14
Elizabeth City.....	665	415	470
Essex.....	899	662	1
Fairfax.....	1,442	1,539	35
Fauquier.....	1,250	2,065	6
Floyd.....	668	653	.....
Fluvanna.....	597	648	44
Franklin.....	1,450	1,928	.....
Frederick.....	370	1,173	15
Giles.....	409	438	6
Gloucester.....	.....	.....	.....
Goochland.....	689	493	35
Gravson.....	689	764	.....
Greene.....	538	363	.....
Greensville.....	890	370	.....
Halifax.....	2,610	2,062	1
Hanover.....	1,008	1,309	.....
Henrico.....	1,481	1,043	3
Henry.....	998	1,077	28
Highland.....	500	387	.....
Isle of Wight.....	844	1,007	66
James City.....	360	157	109
King and Queen.....	757	743	1
King William.....	712	459	1
King George.....	635	347	.....
Lancaster.....	701	509	20
Lee.....	732	550	8
Loudoun.....	1,120	2,138	41
Louisa.....	1,181	1,010	29
Lunenburg.....	879	164	1
Madison.....	886	618	.....
Matthews.....	334	523	4
Mecklenburg.....	2,016	614	1
Middlesex.....	543	367	21
Montgomery.....	661	715	1
Nansemond.....	1,102	777	353
Nelson.....	1,060	1,300	1
New Kent.....	439	245	53
Norfolk.....	1,791	1,247	524
Northampton.....	927	673	.....
Northumberland.....	627	697	2
Nottoway.....	1,123	128	86
Orange.....	586	906	1
Page.....	969	644	.....
Patrick.....	497	886	1
Pittsylvania.....	2,895	3,767	1
Powhatan.....	804	263	.....
Prince Edward.....	1,471	444	4
Prince George.....	564	233	237
Prince William.....	228	942	79
Princess Anne.....	758	572	.....
Pulaski.....	554	582	11
Rappahannock.....	470	744	.....
Richmond.....	694	433	1
Roanoke.....	84	521	42
Rockbridge.....	1,496	1,431	33
Rockingham.....	2,609	1,998	25
Russell.....	586	367	7
Scott.....	1,023	277	.....
Shenandoah.....	1,608	1,308	4
Smyth.....	864	534	2
Southampton.....	1,574	1,073	309
Spottsylvania.....	599	566	12
Stafford.....	569	502	1
Surry.....	455	443	149
Sussex.....	952	503	184

For Congressman at Large—Continued.

	John S. Wise.	John E. Massey.	John M. Dawson.
Tazewell.....	1,349	409	2
Warren.....	202	822	.....
Warwick.....	216	130	86
Washington.....	1,053	1,525	11
Westmoreland.....	855	386	.....
Wise.....	407	206	49
Wythe.....	887	502	4
York.....	553	342	135
CITIES.			
Alexandria.....	776	1,375	3
Fredericksburg.....	227	514	12
Lynchburg.....	1,260	1,510	44
Manchester.....	333	597	.....
Norfolk.....	1,531	1,575	150
Petersburg.....	2,035	1,000	78
Portsmouth.....	864	1,036	171
Richmond.....	3,020	5,465	4
Staunton.....	415	695	.....
Williamsburg.....	175	51	43
Winchester.....	496	409	.....
Danville.....	841	663	1
North Danville.....	115	181	4
Total.....	99,992	94,184	4,342

Scattering, 20.

The vote of Chesterfield and that of Gloucester can be compared with their votes in 1881, as shown in the following table:

Virginia's official vote for governor in 1881.

Counties and cities.	Cameron.	Daniel.
Accomack.....	1,447	2,064
Alleghany.....	217	231
Albemarle.....	2,061	2,215
Alexandria.....	300	172
Amherst.....	673	1,580
Amelia.....	491	433
Alexandria City.....	1,006	1,320
Appomattox.....	858	740
Augusta.....	1,621	2,280
Bath.....	290	259
Bedford.....	1,782	2,333
Bland.....	642	217
Botetourt.....	799	1,165
Brunswick.....	1,708	346
Buchanan.....	375	30
Buckingham.....	1,196	928
Campbell.....	1,756	3,383
Carroll.....	651	1,015
Caroline.....	1,149	1,263
Charlotte.....	1,037	694
Charles City.....	467	359
Chesterfield.....	1,309	1,263
Clarke.....	326	978
Craig.....	254	361
Culpeper.....	1,251	1,196
Cumberland.....	937	429
Danville.....	789	697
Dickenson.....	485	38
Dinwiddie.....	909	477
Elizabeth City.....	1,020	329
Essex.....	794	717
Fairfax.....	1,666	1,526
Fauquier.....	1,423	2,140
Floyd.....	974	622
Fluvanna.....	796	502
Franklin.....	1,555	1,588
Frederick.....	714	1,478
Fredericksburg.....	247	569
Giles.....	625	718

Virginia's official vote for governor in 1881—Continued.

Counties and cities.	Cameron.	Daniel.
Gloucester.....	777	927
Goochland.....	868	637
Grayson.....	1,361	626
Greene.....	496	398
Greenville.....	853	349
Halifax.....	2,197	2,226
Hanover.....	878	1,376
Henrico.....	1,538	1,249
Henry.....	1,125	1,005
Highland.....	490	330
Isle of Wight.....	857	880
James City.....	375	112
King George.....	746	362
King and Queen.....	789	877
King William.....	714	726
Lancaster.....	646	447
Lee.....	1,215	642
Louisa.....	384	971
Loudoun.....	1,323	2,221
Lunenburg.....	968	467
Madison.....	1,088	637
Manchester.....	305	460
Matthews.....	323	737
Mecklenburg.....	2,248	687
Middlesex.....	568	436
Montgomery.....	1,105	1,016
Nansemond.....	1,591	598
Nelson.....	1,094	9,231
New Kent.....	553	228
Norfolk City.....	1,896	1,442
Norfolk.....	2,209	1,032
North Danville.....	108	168
Northumberland.....	644	657
Nottoway.....	1,348	152
Northampton.....	930	760
Orange.....	654	1,000
Page.....	783	526
Patrick.....	952	617
Petersburg.....	2,173	1,187
Pittsylvania.....	2,888	3,274
Portsmouth.....	882	1,098
Powhatan.....	805	285
Prince George.....	845	430
Prince Edward.....	1,562	590
Prince William.....	396	891
Princess Anne.....	842	595
Pulaski.....	552	782
Rappahannock.....	492	968
Richmond.....	698	430
Richmond City.....	3,328	5,020
Roanoke.....	1,254	698
Rockbridge.....	1,573	1,632
Rockingham.....	2,623	2,127
Russell.....	1,087	346
Smyth.....	1,138	693
Scott.....	1,354	343
Shenandoah.....	1,888	1,499
Souhampton.....	1,563	1,034
Spottsylvania.....	780	535
Stafford.....	810	649
Staunton.....	325	693
Surry.....	361	581
Sussex.....	927	620
Tazewell.....	1,389	634
Warwick.....	221	85
Warren.....	262	909
Washington.....	2,258	1,498
Westmoreland.....	762	503
Winchester.....	481	455
Williamsburg.....	109	92
Wise.....	744	186
Wythe.....	1,401	1,240
York.....	492	292
Total.....	113,473	100,758

On the school question the issue between the two parties in Virginia is—
 Shall negroes be trustees of negro schools only?
 This the Democratic platform demands. Or,
 Shall negroes be trustees of both white and colored schools?

Will any white man say, by his vote, that he prefers the Cameron platform to the Democratic platform?

Cameron is one of the twelve anti-Democratic governors now in office in the United States. Twenty-six States have Democratic governors. Virginia cannot oust her non-representative governor this year, but she can elect a legislature whose political complexion will show that she *ought* to have a Democratic governor.

The WITNESS. Mr. John S. Wise spoke something about—I have neglected it and I must speak of it—his being threatened with death if he spoke in Manchester, Va. The town of Manchester is immediately opposite Richmond. Mr. Wise has spoken there repeatedly. He goes there whenever he pleases. There is not a more orderly and quiet set of people in the world. I attended about that time one of his meetings with a number of white gentlemen. I got close to the stand upon which he stood and was delivering his harangue. He was making a bitter address against the white people, and he was making an appeal to the colored people which was calculated to excite the whites, but not one of us uttered a word, and not one interrupted him. They heard him quietly and patiently.

Here is the reason for his not appearing, published in the Richmond Whig on November 6, 1883:

[Ed. Brevities.—Richmond Whig, November 6, 1883.]

Hon. John S. Wise did not speak in Manchester last night, which was a great disappointment to his many friends. This was an extra appointment, and found the captain on his arrival in Richmond, Sunday, from a distant part of the State, fatigued and worn out.

By Mr. LAPHAM:

Q. Where is that place?—A. This was in Richmond, immediately opposite Manchester. At that meeting a tremendous rock almost as large as my hat was thrown at my head from the crowd, and it hit a post immediately in the rear of me. I was standing there quietly, and so help me God, I did not open my mouth, listening, and a boy came running in the crowd and says, Mr. Wise, it is absolutely necessary for you to leave this meeting. I have heard them make a bargain to kill you if you stay here, and he says, your life is in danger and I beg you to leave, and two or three friends said you had better walk off with us now, and let us go away.

Q. The boy came to you and said he heard the man who threw the stone make a bargain to kill you?—A. That they had made a plot to throw it, and that I had better leave and I did leave; of course I didn't want to get into a row with a mob like that, and I departed. I have never known one of their meetings interrupted in my city or in Manchester. I have spoken there and spoken within 100 yards of Readjuster meetings. In behalf of Manchester I would like to say that only a few nights before the night when he said he was to be murdered I spoke in Manchester, and there was a Readjuster meeting within 100 yards of me, got up especially to break down my meeting. At least three thousand people were standing in my front who could have demolished them. They were permitted to yell and howl, to stop me all they could, and not a man interfered with them, and they actually had so little fear of us that one of their asylum employes came upon the stand where I was and commenced speaking from our own stand; left his own crowd and came over to ours, and commenced speaking to break up our meeting. He did that, and even with that he was not even hurt or injured. I will speak that for Manchester, as a sample of what kind of spirit Virginia people have exhibited and do exhibit.

Q. Is there any other special matter that you wish to enter into?—A. No, sir.

Mr. LAPHAM. I prefer to reserve the cross-examination of Mr. Wise, if he is to be cross-examined at all. There is no one here with whom I can confer in respect to it, and Mr. Wise is in the House of Representatives and it will not subject him to any inconvenience.

The WITNESS. Yes; I can come at any time. I want to put in as a sample of the way they speak of us a piece from the Richmond Whig, and also an extract to show how Mr. John Wise has talked of negroes in times past.

Mr. VANCE. Yes; I would like to have something of that sort.

The WITNESS. I have cut this from the Richmond Whig of March 17, 1882:

It is sometimes amusing, sometimes provoking, but always curious, to hear poor white trash bragging of their sacred Bourbon Funder Josses, and glorying in their servility and devotion to these scurvy divinities. There has been nothing like it since slaves boasted of the wealth of their masters and exhibited their scorn of these same "poor white trash." The whirligig of time has brought around its revenges, and the slaves and poor white trash referred to have exchanged places. The former slaves are free and this same old trash are slaves, but there is this to be said, that while the negroes were slaves by law and force, these groveling and Joss-devoted trash are so of free-will and by a natural instinct derived from ancestral spaniels.

I give that as a specimen of the manner in which they have invited our kind speeches. Now here is a statement from a gentleman who heard it; than whom there is not a purer and better man, I will say not only in Virginia but in the Union; it is addressed to the editor of the State.

By Mr. VANCE:

Q. What is the date?—A. February 28, 1884:

OLD CHURCH, HANOVER COUNTY, VIRGINIA,
February 28, 1884.

If it is of any importance to know I wish to say that the most severe invective against the negro I ever heard was from John S. Wise, at Hanover Court-House, shortly after the war. This is what he called them, "flat nose," "jimber-jawed," "gizzard-foot," "monkeys," &c., ridiculing the idea of their becoming citizens and voters, &c.

I say this on my own responsibility, for I heard him. You can make any use of this information you please, Governor Vance. He can't plead baby for these utterances.

Respectfully, &c.,

W. H. MACON, M. D.

To the Editor of the State.

He is one of the first physicians in my district and as good, as pure a gentleman as lives. I can give you numerous extracts from Governor Cameron. He says the negro is only fit to compete with the monkey. I have that here. I never heard stronger abuse of the negro than comes from Governor Cameron.

By Mr. VANCE:

Q. When does this letter you last referred to impute this statement to John S. Wise?—A. At Hanover Court-House, but Mr. John S. Wise has been doing it all the time; I heard some of that myself.

Q. When does it impute to him the statement?—A. Just after the war, and he continued that on at Louisa Court-House. He taunted them and said, "You know we live in continual fear for our chicken roosts at night when you are about. You are only fit to steal." The most violent denunciation of the negroes and the people of that district I have heard from his lips. I have numerous extracts from the Richmond Whig con-

cerning the Republican party before they made the coalition, and especially of the United States Senate, which I will file if you desire it.

Mr. LAPHAM. Let us get through with one thing at a time.

The WITNESS. Here is one of Cameron's:

CAMERON ON THE NEGRO.

What Colonel Cameron, the Mahone candidate for governor, had to say in regard to the negro a few years ago, is now very pleasant, no doubt, when he is seeking to secure the support of that wing of the Republican party. We subjoin a few extracts:

[The Daily Index, Wm. E. Cameron, editor.]

APRIL 27, 1868.

"Congress has created a *horde of pauper negro electors*, who, instigated and led by unprincipled interlopers, are now endeavoring to fasten upon Virginia a constitution which wrests from the hands of tax-payers and property-holders of the State all control over its government and legislation."

And then he goes farther and classes the colored man with the brute:

"They (the white people) have been governed by *brutal* negroes, and taxed out of their possessions to support the scum of an invading soldiery; while the Federal bayonets have pinned together the walls of their prison, and the iron heel of the Federal Government has trampled upon their every effort to rise. From such fate Conservatism, and the unity of the *whites* under it, has rescued this people of Virginia."

And not satisfied with that would have deprived them of the right of voting:

"The Radicals of the North are right. They allow *no negro* to exercise the right of suffrage in their own home governments. The Conservatives of the North are right, and their platform is the *perpetual* exclusion of the negro from the polls."

By Mr. LAPHAM:

Q. What I understand you to offer is an extract.—A. In the Index-Appeal, William E. Cameron, editor.

Q. It is printed "Conservative-Democrat."—A. Yes, sir. It is an extract, though, from the paper which he published.

Q. Well, it may purport to be that.—A. Oh, there is no doubt about that. It has never been denied.

Mr. VANCE. He was the editor of it, I suppose.

The WITNESS. He was the editor. He admitted on the stump that he used very violent language.

Mr. LAPHAM. This is a paper printed the 10th of September, 1881.

Mr. VANCE. Yes.

Mr. LAPHAM. A Democratic paper.

Mr. VANCE. Yes; by the present governor of Virginia.

Mr. LAPHAM. Oh, no; he was not the editor of this paper.

Mr. VANCE. What paper have you in your hand?

Mr. LAPHAM. The paper which he produces here is the Conservative-Democrat.

The WITNESS. Extracts from the Index-Appeal, edited by the present governor of Virginia.

Mr. LAPHAM. Well, what purports to be an extract.

The WITNESS. Oh, there is no dispute about that. He has been upon the stump——

Mr. VANCE. The testimony of Mr. John S. Wise is full of extracts which are not questioned to be extracts. There are fifteen or twenty, I think, of precisely similar character.

The WITNESS. I do not think anybody will deny that Governor Cameron is the author of that.

Mr. LAPHAM. Mr. Wise, if you will give me an opportunity to make my objection, I will make it. I object to putting in evidence at a period so long ago as this a Democratic paper to prove what Governor Cameron said; that is my point. I claim it is not competent.

Mr. VANCE. It certainly would not be, according to strict rules of law.

Mr. LAPHAM. Well, it is not according to any rule that has been adopted in this examination.

Mr. VANCE. But according to the testimony that was admitted from Mr. John S. Wise, it is highly respectable testimony. It is almost like as Lord Coke says, "it purports almost absolute verity in comparison."

Mr. LAPHAM. Well, I make that objection to it, that it is no evidence.

Mr. VANCE. Well, sir, I insist upon it going in.

Mr. LAPHAM. As to facts of what Governor Cameron said anywhere, or printed anywhere—it purports to be something he said as early as 1868, sixteen years ago; that is another objection to it.

Mr. VANCE. Well, sir, I insist upon its going in. I find plenty more just like it here. I find here on one page an extract from the Halifax Record, Franklin County Gazette, Danville Times, Marine Patriot and Herald.

Mr. LAPHAM. Well, we are quoting there a Democratic paper as evidence against the Democrats; if you had the original paper in which this was printed, why it would be admissible within the rule we have adopted.

Mr. VANCE. That would not fall within your rule, for at that time Governor Cameron was a red-hot Democrat, and it would be a bad rule for a man's words to be quoted against him after he had changed sides.

Mr. LAPHAM. If you had the original paper it would be admissible, but the difficulty now is, that paper was published in antagonism to him, in which—he was a candidate for governor—in which they quote what he said ten years before; I submit it is not competent.

Mr. VANCE. Well, sir, I submit it is.

Mr. LAPHAM. Of course, the reporter will note the objections I make.

Mr. VANCE. Certainly. I find some thirty papers extracted from here without saying a word as to what was extracted; my recollection is that Mr. Wise read them from a scrap book; pieces cut out and pasted in a scrap-book.

Mr. LAPHAM. Well, you did not do your duty if you did not object to it.

Mr. VANCE. Yes, I think I objected to Mr. Wise's testimony all the way through.

Mr. LAPHAM. Does the record show that?

Mr. VANCE. Not this particular point. [Reading from the testimony of Hon. John S. Wise:]

Mr. VANCE. I desire to enter my protest against this whole examination. I think it is out of all character as matter of investigation. Mr. Wise is proceeding in his speech in favor of his party, which I would like to hear at the proper place, but I don't think it is proper for an investigating committee concerning the matter at Danville.

Mr. LAPHAM. If this is designed to illustrate the condition of things last fall it seems to me it is proper.

Mr. LAPHAM. If this is designed to illustrate the condition of things last fall it would be a very different thing, but here you put in a paper printed a dozen years ago; I am sure we have not done anything of that kind.

Mr. VANCE. But a number of extracts were introduced by Mr. John S. Wise showing the state of feeling existing.

Mr. LAPHAM. There were none of this character.

Mr. VANCE. To show the state of feeling that existed on the part of the Democratic leaders in Virginia and their denunciation of the Readjuster and Coalition parties and so on and so on.

Mr. LAPHAM. This is what Governor Cameron is reported to have published when he was editor.

Mr. VANCE. It is a fair retort to say that these men who now make complaint had themselves before they shifted their position done the same thing.

Mr. LAPHAM. Very likely when they were Democrats they did as Democrats did.

Mr. VANCE. That is perfectly fair and I insist upon its going on the record.

Mr. LAPHAM. If this showed anything Governor Cameron said last fall I should not object to it.

Mr. VANCE. Well, there is a great deal here [referring to the testimony of Hon. John S. Wise] that did not occur last fall. My recollection is that John S. Wise went back two hundred and fifty years and gave the history of his family, where they came from, and all that. I was doing all I could to object to it. I thought we were going to conduct the examination upon strictly legal rules, but when I found that that was not done I thought I would take advantage of it and follow suit. Now, I do not think it is fair to take advantage of me when I am following the same course.

Mr. LAPHAM. Oh, no; I have not the power to stop you. All I can do is to call attention to the inconsistency of this kind of evidence. If it goes there it goes there subject to my objections and the grounds upon which I make it.

Mr. VANCE. Certainly; that is right.

The witness submitted the following newspaper extracts:

[Editorial from the Richmond Whig, December 21, 1883.]

Yes: IT TOOK A WAR TO FREE THE COLORED PEOPLE OF THE SOUTH. IT MAY TAKE ANOTHER TO FULLY FREE THE SOUTHERN WHITE PEOPLE. IF NEED BE—LET IT COME. WE REPEAT IT, LET IT COME. GIVE US LIBERTY, OR GIVE US DEATH. If this be treason, make the most of it.

[Editorial from the Richmond Whig, December 21, 1883.]

The foul birds whom we denounce in their policy, purposes, practices, and pursuits need not think to shield themselves behind the Virginia they defile, degrade, and disgrace.

[Editorial from the Richmond Whig on the address of John S. Barbour and others about the Danville riot, December 3, 1883.]

The address comes to the rescue of the report, and further alleges that, in any event, the news of the massacre did not reach certain counties in time to influence the election. But tone, temper, and policy of the Danville violence *were everywhere*. The Danville falsifications had reached every point, while the Readjuster efforts to meet them and neutralize them were baffled for lack of time. Nor are the counties mentioned in the address so situated that every one of them might not have received the news of the Danville massacre *as early as Essex*; and we have published a letter from Mr. W. T. Blake, of Essex, which shows that a Funder version of the massacre was rife in Essex on Saturday before the massacre occurred. Mr. Blake's letter was written and mailed on Saturday, and reached us in due course of post. There are no telegraphic or railroad communications with that county, and every county named in the address can be reached as speedily as Essex. But the damning fact made evident by the Essex rumor of "a negro rising" is that it was *notified in advance to Funder agents—that it was in universal Funder expectancy—and that not only at Danville, but all over the State (ESPECIALLY IN THIS VERY CITY, WHERE THIS LAST FUNDER ADDRESS IS DATED), the Funder mind, heart, and hand were ready for violence, slaughter, and all terrorism to carry the election.*

[From the Richmond Whig, December 4, 1883.]

Mr. W. T. Blake, of Essex, again testifies to the Funder foreknowledge of the Danville massacre and other matters. Read his letter:

MR. BLAKE AGAIN TESTIFIES.

[For the Whig.]

NEAR PAUL'S CROSS-ROADS,
Essex County, November 30, 1883.

The Tidewater Index seems to be getting its back up about my notifying you that a "prominent Funder" put the report in circulation that the negroes up about Danville were in a *state of insurrection*, and the governor had ordered *guns and ammunition* (and I think he said troops) up to either Lynchburg or Danville on "*Friday morning, November 2d, thirty-six hours before the massacre commenced.*" The editor need not be throwing so much of his valuable time away on that point, *for I can prove what I say.* As to its being circulated through the *whole county*, that I can't say, but it was told at a store down at the cross-roads Friday morning, November 2d, by Dr. Boughan. He said he saw it in a Richmond paper, and if he did see it in a paper, he had a perfect right to tell it, as it was "public property." So if the Tidewater Index wants to get at the root of the report, let it ask Dr. John Boughan if he got his information from the "celebrated Danville circular," or from whom did he get it. He says he knew nothing about the "Danville riot" until he saw it in the Dispatch on *Sunday morning, November 4th.* As the mail did not get into Tappahannock until late Saturday night, allow me to call attention to a small fact about his reading it in the Dispatch "*Sunday morning.*" If he read it Sunday morning, November 4th, in the Dispatch, I'll swear by the Holy Book that the editor of the Dispatch "*lied,*" or "*he knew it was to happen,*" for the Dispatch that came from Richmond by Saturday's mail (in which the Index editor says *he saw the account*) was delivered to the mail-carrier, at Richmond, *Saturday morning at 6 o'clock a. m.—"NINE HOURS" before the Danville massacre began.* Say, Mr. Editor, how's that for a slight mistake? Your extensive practice at the "*bar*" must have given you a kind of "*prophetic vision*" to see what you say you did see in the Richmond Dispatch, or it may have "*doubled your sense of sight*" to such an extent that you could see what was not in the Dispatch Sunday morning. Now, in conclusion, Mr. Whig, let me tell you why I wrote that note. We boys down here were on the "*lookout*" for some "*Sunday school stories*" just before the battle began, and the No. 1 came in on Thursday, November 1st. It is this: Mr. Littlepage, a "*prominent Funder*" of King William County, had been knocked in the head by some one in the road; and, *no possible doubt about it, it was done by a negro.* Object—"politics." Littlepage, a Simon-pure Democrat; negro, Republican-Readjuster. *That was an infernal lie.* And I wish I could say that No. 2 was a lie also, but, unfortunately, it was too true. I was afraid of that report, so I wrote to you and *asked you to "contradict it"* in time, for it might scare off some of our boys. But we did the work for them down here, and carried the county by 233 majority.

WM. L. BLAKE.

[Communication from the Richmond Whig, December 3, 1883.]

The cool effrontery of these brutal bulldozers and outlaws is only equaled by their hell-conceived and deliberate conspiracy to trample under foot all law and all human rights in Virginia for the purpose of possessing themselves of the rule of a State and people they plundered, pauperized, and outraged from 1869 to 1879.

REASON.

[Editorial from the Richmond Whig, December 19, 1883.]

It took a war to free the colored people of the South. It may take another war to fully free the Southern white people. If need be let it come. We repeat it, let it come. Give us liberty or give us death.

We cannot endure usurpers and tyrants!

[Editorial from the Richmond Whig, November 16, 1883.]

The Bourbon-Funder organs and their correspondence from all points sufficiently tell (exultingly too) the hellish ruffianism, lying, outrage, and terrorism by which the Readjusters were defeated. Total depravity marked the whole Bourbon-Funder policy, and the fiends in hades could suggest nothing too diabolical for Funder expression and action. All over the State, too, the Funders were in arms to back the vilest frauds with bloody force.

How any decent man in the Commonwealth can approve and applaud the means and appliances of the Barbour crew is matter for grievous astonishment. All reason, all conscience, all morality, all honor and honesty, and all religion are aghast at the horrid spectacle.

[Editorial from the Richmond Whig, November 20, 1883.]

But with all Colonel Sims's knowledge of Bourbons and Funders, it did not once occur to him that the men he denounced would seek to mob him. No; and if it had, was he to let falsehood triumph over truth because falsehood stood in a menacing attitude to defend itself and to attack the champion of truth; but he had no such apprehensions. For a personal attack upon him, to be called to account in any way recognized among men pretending to be gentlemen, he was prepared and ready; ready to accord satisfaction to any one claiming to be injured, but always expecting at least fair play and an equal show.

It now appears, however, that the Danville Funders plume themselves upon not attacking Colonel Sims that night, and creating a murderous riot to avenge personal insult; it is matter of vaunt, of public vaunt, that he was not waylaid and assassinated on Saturday; nay, it is said that his coffin was actually made, and that bravos were on the watch to slay him, but that he escaped through his own imperturbable coolness and the discretion of his friends.

Oh, brave men! Oh, heroes! Oh, paladins of honor! Colonel Sims was not attacked, nobody assaulted him. None of the aggrieved gentlemen whom he characterized as liars and cowards sought satisfaction in the usual way. No!

[Editorial from the Richmond Whig, November 16, 1883.]

The time will come—it is not far distant, unless the masses of the white and colored people arouse quickly to a sense of their mutual rights, interests, *and dangers*—when the same brutal oligarchy which inflamed, incited, encouraged, indorsed, defended, and applauded the infamous massacre of negroes by whites at Danville *will be in like manner whooping its negroes to the slaughter of white men*. To-day this oligarchy, which (for its immediate and temporary purposes) talks so glibly of blood being thicker than water and of the common ties of race, is ready and willing to set even its dogs upon the white people who dare oppose it, and to defend and applaud its dogs, though these should even devour our wives and children.

[Editorial from the Richmond Whig, December 1, 1883.]

Oh, for the spirit of 1776 to arouse among us! There would be short work with these Bourbon-Tories who murder liberty and disgrace the name of American citizens.

[Editorial from the Richmond Whig, November 5, 1883.]

BELIEVE NO CANARD.

We all know the Bourbons and Funders. We have all known them in politics for a long time; and during the whole period none of us ever knew them to tell the truth, or acknowledge it, when a lie would better suit their purpose. We say that this is so of these politicians in politics without exception, at all times and under all circumstances. Lying and calumny are the inveterate habit of all the tribe. They know it; we know it; everybody knows it.

We also know, as they do full well, how desperate their condition now is. Everybody knows that it is now a life and death struggle on their part for political existence. Sticking at nothing heretofore, much less are they (*any of them*) to be suspected to have any scruples in this crisis of their fate. Already in this campaign they have furnished abounding testimony that there is no crime that they, or their tools, are not prepared to commit; no enormity that they will not perpetrate or countenance; and no depth of depravity to which they will not descend for votes. They know it; we know it; everybody knows it.

Therefore it is now to be expected that they will even outdo all their former efforts in kind and degree to attain success. They are flooding the State with falsehoods, and they will swell the tide of this mendacity higher and higher to the closing of the polls. False always, they are falser now, and they will be falsest in the presence of the polls. Their most monstrous inventions, productions, and importations are reserved for the last, so that there shall be neither time nor opportunity to meet and expose them. The further off they can locate the lie, the better for their purposes, as distance itself, in conjunction with expiring time, thus lends itself to their frauds, impostures, and calumnies. This they know; this we know; this everybody knows.

But who will allow himself to be imposed upon by these roorbacks, so manifestly adapted to the occasion, *and even more manifestly held back to avoid exposure?* Who so silly as to be duped by forged papers, no matter by whose names they may seem to be authenticated? *No honest man will thus waylay anybody in the dark, as it were, and stab him in the back; and if any man, no matter what his repute, knowingly and wilfully lend himself as an accomplice in these shameless practices, HE HIMSELF is as capable and guilty of perjury and forgery as the meanest scoundrel concerned.* In point of fact, there is no baseness lower than that involved in this mode of attack upon parties, measures, and men.

But the main point is that these canards, roorbacks, and calumnies are to be expected; that they are the strongest cards of the Bourbon-Funder game, and that they are to be met with that scorn and contempt which cheating and rascality deserve. These cards from the sleeve must not count; they must not deceive; nay, they should arouse all the greater indignation at the cogging tricksters. *They must—they will!* For you are forewarned; you know your opponent; you know their tricks; *and you know that the Readjuster hand cannot be beaten fairly.*

Beware of these Heathen Chinees devices, Readjusters! Do not be bluffed! And the game is ours!

[Editorial from the Richmond Whig, November 14, 1883.]

We will be glad for our friends in every part of the State to send us specimens of the circulars distributed there on and before election-day, giving the Funder versions of the Danville massacre. *This is important,* and we trust our friends everywhere will attend to the matter. There were many versions got out, and we wish to see all of them.

[Editorial from the Richmond Whig, November 5, 1883.]

VIOLENCE BEGETTETH VIOLENCE.

The unfortunate street affray in Danville Saturday was but an inevitable result of that fomenting of passion and prejudice which has been so zealously indulged in by journals and people of that city that ought to know better and do better. Perpetual nagging—perpetual efforts to mutually inflame parties and races—can have but just such bloody and lamentable consequences.

We are glad, however, that this affray had no immediate connection with politics, but grew out of an accidental encounter or collision between a white man and a colored man on the sidewalk. That three colored men and one white man were killed, with several wounded of both races, is very deplorable in every view; but we devoutly thank God that the matter was no worse; and if the sacrifice of these four victims shall lead to that second sober thought which moderates passion and even subjects prejudice to reason—if it shall have the effect of awakening all good citizens to the danger which lurks in the exasperating devices and inflammatory appeals of partizantry—these men will not have died in vain, and our political atmosphere will be the clearer and healthier henceforth.

For ourselves, we abhor violence and the turbulent spirit which provokes and incites it; and we pray Heaven that the present campaign in Virginia may have no more bloody illustrations of that brutality on both sides which is so easily aroused when reason is overborne by temper and when men and citizens forget that all that they hold dear in common is dependent and interdependent upon reciprocal good-will.

[Editorial from the Richmond Whig, November 14, 1883.]

It is all nonsense for anybody in or out of the State to say that the "Danville Circular" and the bait of alleged "negro risings" had not reached the remotest portions of the State on or before election-day. The letter we have already published from Mr. William T. Blake, of Essex, proves that there was a Funder rumor of mob and murder at Danville and elsewhere widespread in *Essex on Saturday before the massacre in Danville occurred.* All over the State, too (as all our correspondence confirms), the Funders were distributing, not only the "Danville Circular," but the Funder version of the Danville slaughter, in which the negroes were represented as in armed insurrection. Everywhere the temper that actually wreaked itself in blood at Danville, Staunton, South Boston, in Floyd, in Madison, in Hanover, in Sussex, and elsewhere, was ferociously exhibited by Funders of the baser sort; and at nearly every precinct in the State threats of violence were made that would have come to bloody issues had not the Readjusters and the better class of Funders preserved the peace by their moderation and joint influence. The sentiment and passion of a war of races had been industriously cultivated all over the Commonwealth, and there were few if any points where the people were not frightened or misled by the Danville frauds, supplemented by murder.

[Editorial from the Richmond Whig, October 26, 1883.]

"Every man who tries to induce the colored people to vote against the white people of the South is advising them to their injury. The colored and white people are friends and allies in everything but in politics. They are mutually dependent, and it is to their mutual advantage to pull together in all things."—West Point Star.

What, then, becomes of the "white man's party"?

Every man who tries to induce the colored people to vote against the Bourbon party, which hates free schools and despises the free ballot, deserves a crown.

Recognizing the fact that all men *are* mutually dependent, the Readjuster party also recognizes that, politically, all men are mutually free. A colored man, however, is not to be blamed for not voting for a Bourbon because he is white; because, forsooth, some of the worst men in the State are white, and Bourbon besides.

The Star is "mixed" in its logic.

Brace up and explain, while the hosts of Readjustment are casting their ballots against the already defeated Funders.

[From a circular published in the Richmond Whig of November 1, 1883, and signed William Mahone, chairman.]

The Funder party have generally refused, throughout this canvass, to meet our speakers in open discussions of the real questions at issue which concern your interests.

It has been, on their part, vile and malignant abuse, and the foul use of money to which they resort for debauching the public mind; the false cry of mixed schools, social equality, and Democracy in the white counties of the State, while in the black counties they are consorting with such colored people as they can wickedly lead astray by the corrupt use of money. While they are, by their candidates and speakers, in the black counties holding night meetings with such colored people as they can debauch; while they are inviting the colored and white ladies to attend their picnics, and while preaching a false Democracy in the white counties, are openly nominating and supporting straightout Republicans in black counties. In Petersburg they are urging upon the colored people the support of one of their candidates for the house of delegates on the ground that when a member of the council here he advocated and voted to put a colored man on the police. This immediately after the war. In Dinwiddie County the Bourbon-Funder self-styled Democratic party nominated and are supporting a man for the house of delegates who voted to retain in the constitution the obnoxious clause disfranchising forever every Confederate soldier.

[Editorial from the Richmond Whig, October 31, 1883.]

The Funders of Danville proclaim that town to be a hell. Well, one might suppose so, to judge from the weeping, wailing, gnashing of teeth, blaspheming, lying, and all manner of abominations which are ascending forever like a cloud of smoke from the mouths of Danville Funders. But Danville is a very nice town, after all—growing, thrifty, and happy. The hell we hear of is only in the hearts and mouths of men who would rather make a hell of their own, and reign in it, than to serve in heaven. Some of these men, or their cat's paws, have put out a circular, breathing brimstone, which is scattered all over the State to mislead and prejudice white men to the point of a race war. It is but an outburst of passion and exaggeration, and its misstatements are fully met by the communication from Colonel Raulston, which we publish in another column.

[Editorial from the Richmond Whig, November 5, 1883.]

We all know the Bourbons and Funders. We have all known them in politics for a long time; and during the whole period none of us ever knew them to tell the truth, or acknowledge it, when a lie would better suit their purpose. We say that this is so of these politicians in politics without exception, at all times and under all circumstances. Lying and calumny are the inveterate habits of all the tribe. They know it; we know it; everybody knows it.

[From the address of the Readjuster State Executive Committee, dated at Petersburg, Va., September 25, 1883, signed by William Mahone, chairman, and published in the Richmond Whig, of October 5, 1883.]

Now is rapidly approaching a time of need for your ballots, and for your own sake, as well as for your children, let your ballots on the 6th of November bury Bourbonism and Funderism forever! As long as these menace you and Virginia there can be neither security nor peace among us. You see it, know it, and so let your votes be cast that readjustment shall be put beyond all peril and intrenched impregnably.

WILLIAM MAHONE, *Chairman.*

[From report of Hon. John S. Wise's speech in the Richmond Whig, of October 15, 1883, delivered at Petersburg, Va., Oct. 14, 1883.]

He closed with a glowing peroration eulogizing General Mahone as the saviour of the Commonwealth from an oppressive oligarchy, and concluded, exclaiming:

"Master, lead on, I'll follow thee!"

[From the Richmond Whig of October 9, 1883.]

John S. Wise, inclosing his letter in reply to Holmes Conrad, writes as follows of William Mahone:

"And I, for one, beholding the little wonder, stalking on, unconquered and irresistible, among the writhing, squirming, hissing, screaming mass of slaughtered Bourbon dragons, devils, and serpents, that lie dead and dying about him, am neither afraid nor ashamed to shout high and shrill above the bedlam of his traducers:

" 'Master, lead on, I follow thee
To the last gasp of expiring loyalty.' "

[From the report of the speech of General Mahone made at Petersburg, Va., October 14, 1883, printed in the Richmond Whig, October 15, 1883.]

But whatever the result might be, on the day after the election he would put his old musket in fighting order for a contest until every vestige of the Funder party was wiped out. At Bland Court-House that party nailed the black flag to the mast. So far as he was concerned it might stay there. He had no quarter to ask of them, and neither politically nor socially would he hold intercourse with them. He felt that to the Readjuster cause he owed the balance of his life. If defeat were possible on the 6th of November it had no horrors for him, and he would fight right on.

[From the Richmond Whig, July 9, 1883.]

According to announcement the social equality dinner of the Bourbons and colored Straightouts of Southampton came off at Jerusalem on the 4th of July. "The noblesse of our people" feasted and drank with their colored friends to their hearts' content, and closed the festivities of the day with the exulting song, "Glory! Glory!"

[From editorial of the Richmond Whig, September 4, 1883.]

Nay, if necessary (so much confidence have we in the sagacity and patriotism of the man), *we shall vote the ticket Boss Mahone may say is best for us and for Virginia.* However the decision may be reached, and whatever that decision may be, we shall abide by it next year precisely as Bourbons, Funders, and their followers will abide by the like action of their recognized political leaders and authorities. If Funders choose to go it blindly this year, that is their privilege. We shall wait for 1884; and in the mean time we shall best evince our capacity to govern and take care of Virginia and ourselves at any time hereafter, by giving our enemies *now* every evidence that we are able to stand alone and direct our own affairs, not only without their advice, *but despite their knavish tricks and dirty falsehoods.*

[From editorial of the Richmond Whig September 3, 1883.]

JACK-IN-THE-BOX.

We all understand race prejudice. It exists to a greater or less extent between all races. Difference in color and long difference in political, civil, and social *status* have served to aggravate this prejudice here all over America. *But*—and mark it well—civil and political rights are wholly apart from this race prejudice, which is *chiefly* physical in its origin, and which should not (*as it really does not*) cause any good man to do injustice to another. Is this prejudice of the kind which should exclude a white man from construing the law as a judge, or from deciding the facts as a juror, where a colored man is concerned? No; every good and true man in the Commonwealth would condemn such a suggestion. And, moreover, we find that many years ago the Conservative party elected or appointed John Cooley and Abram Hall to legislative offices; that colored delegates were received with effusion in a Conservative State convention at Mozart Hall, old Jubal Early only dissenting and withdrawing from the convention; that in the legislature of 1869-'70 there were colored Conservative members of the legislature from Mecklenburg, Halifax, &c.; that colored Conservative members were subsequently elected to the legislature; that, in fact, in 1879 the Funder faction claimed the majority of the colored legislators elected as their own;

that colored members of city councils have long been known, without offense or trouble, all over the State; that a colored man was nominated for lieutenant-governor on the ticket which General Wickham supported in 1869; that at Charlottesville and elsewhere the Funders themselves have nominated and elected colored men to their city councils; that the city council of Richmond has, without rebuke or remark, long put colored men on its school committee; that colored men have been canvassers for the Funders; that John Daniel himself on a certain occasion at Pace's warehouse in Lynchburg sat on the platform with colored men, and actually made a parade of himself in a theatrical attitude between two of them, exclaiming, "Behold the representatives of the best people of both races united in a common cause!" or words to that effect; that colored school trustees were appointed at the first institution of the public free-school system, and that in Petersburg these school trustees, even after they ceased to be appointed by the State board, were continued by a Funder council. We might multiply instances to show that however strong the race prejudice between whites and blacks (stronger formerly than now), it has never operated heretofore to arouse brutal injustice and wrong in our civil and political administrations, under constitutions and laws we were sworn to support, *nor even as a matter of party policy has it ever deterred the old Conservative party, or the Funder faction itself, from at least some recognition of the civil and political equality of the races*—the great majority of whites in the State always assuming the practical government of our affairs by that majority—the only question being, "Should that government be honestly and fairly administered according to law and wise policy, or otherwise?"

Our point is to inquire where was this prejudice when all we have recounted took place? Where was it for over ten years in Petersburg, with colored school trustees and *white teachers for all the colored schools during the whole period*? We say positively that not only did it sleep, but that, if it existed at all, it was boldly met and put down, both by behest of law and as the dictate of good policy; and we say further that but for the uprisal of the Readjuster party the policy of colored recognition in the government (in the school system and other departments) would have been continued and extended.

[From editorial of the Richmond Whig, September 27, 1883.]

The miscegenational Democracy, represented by its leading miscegenational organs, the New York World and the Washington Post, is highly commended by the miscegenational broker's lobby of Virginia as a refuge from social equality. Great heavens! Was ever a commendation more false and preposterous? This Democracy, if we take the World and the Post as its exponents, is not only in favor of social equality, but of the right and privilege of whites and blacks to intermarry. We have cited proofs of this from the Post and the World.

And that Boss Barbour and his minions are also miscegenationists as is proved by the fact (if Mahone and the Readjusters are responsible for all that friendly outside journals say) that *Barbour and his agents are busily engaged in securing subscriptions all over the State, NOT to the Richmond Dispatch, but to the Washington Post.*

The secret consultations of the emissaries of Barbour with Funder committees in all the counties have for one of their principal objects the enlarging of the circulation of the Post in Virginia; the wider dissemination of this Washington organ of miscegenation Democracy. The secret precinct meetings of the Funders have a like object—to raise money to subscribe, NOT for any Virginia journal, but for the Washington organ of Boss Barbour, of Washington. We learn, also, that Boss Barbour is distributing, *free*, in some parts of the State, his Washington organ of miscegenation.

What do Virginia journals and voters think of it?

D. D. MUMFORD sworn and examined:

By Mr. VANCE:

Question. Where do you live?—Answer. I live at Chatham, the county seat of Pittsylvania County, Virginia.

Q. How far is that from Danville?—A. That is 16 miles from Danville.

Q. What is your occupation?—A. I am a lawyer.

Q. Are you at present a member of the Virginia legislature?—A. Yes, sir.

Q. From Pittsylvania County?—A. From Pittsylvania and Danville.

Q. Did you know a man by the name of Fernald?—A. Yes, sir.

Q. Did you ever hear him speak?—A. Yes, sir.

By Mr. LAPHAM:

Q. What is the name?—A. W. L. Fernald.

By Mr. VANCE:

Q. Was he a candidate for any office in 1881?—A. No, sir; he was collector of internal revenue for the fourth district, headquarters at Danville.

Q. Do you know anything about a speech that he made in 1881 at Halifax Court-house?—A. Yes, sir; I heard that speech.

Q. (Handing witness a paper.) Is this a substantially correct extract from it, published in that paper?—A. Well, I have seen this paper often before, and I have read this extract. This is, so far as it goes, an exact statement of what he said upon that occasion. I took it down as he spoke, but I could not write as fast as he talked, and it was a very large crowd, and I failed to catch a great deal that he said, but so far as that purports to give what he said upon that occasion, it is a literal representation of what he actually said. I went down on the train with Mr. Fernald, and he was talking to me. He went down, he told me, for the purpose, he laughed and said, to heal the differences in his party in that county. There had been a man named J. B. Stovall—

By Mr. LAPHAM:

Q. One moment. You are giving what occurred between you and him in 1881?—A. Yes, sir.

Mr. LAPHAM. I object to that.

Mr. VANCE. The same objection—that it reaches too far back; is that it?

Mr. LAPHAM. Yes, sir; that is the point of it exactly; that it is anterior to the canvass, or anything connected with it.

Mr. VANCE. Well, we will not go over the question again.

The WITNESS. I was just going on to say he laughed, and said that we need not take any comfort to ourselves for this seeming disagreement among his party in that county. This Mr. J. B. Stovall, a white man, had been nominated for the senate, and with him two other white men, Dr. Grow and Mr. Jeffries, of the Coalition party; and the colored people in Halifax—so I was informed—were making some objection to the ticket, because, as they did nearly the whole of the voting, they thought they ought to have some representation upon the ticket, and so it is that this man Harris, of whom he speaks, who is a colored man, announced himself an independent Republican candidate, and it was with a view of retiring him from the track that he made this trip to Halifax County; and I was, of course, anxious to hear what he would have to say to the colored people. I therefore listened, and as soon as he began to make the speech, I saw the importance then of taking down that speech because it was a speech, as I believed, similar to those which have been made to the negroes at night, but which it was very difficult for us to obtain, and I took this down, and I only regret it could not have been taken more—

Mr. LAPHAM. His statement is not admissible, “a speech similar to those made at night”; I object to that.

The WITNESS. No, I suppose that is not legal evidence. I just wanted to state, as a matter of inference, why I took it down.

Mr. VANCE. Now I want that extract put in as part of your testimony.

The WITNESS. This is in the Halifax Record of March 30, 1881. That is the canvass in which Governor Cameron and Daniel were candidates.

By Mr. LAPHAM:

Q. This is a Democratic paper, I suppose?—A. Yes, sir.

Mr. LAPHAM. Well, I object to it on account of remoteness, and on the ground that you cannot prove your declarations against us in this investigation.

Mr. VANCE. I do not care to argue with you.

Mr. LAPHAM. Whatever you can get from our papers you have a right to, and whatever we can get from yours we have a right to, but you have not the right to prove your own declarations against us.

Mr. VANCE. Certainly not. Your people allege that our people are in the habit of saying so and so. Now, I can only disprove that from your own papers; we cannot prove what we did say to disprove what is said we say.

Mr. LAPHAM. Oh, yes; you have exercised that right, and have proved it repeatedly. You are not now seeking to prove what you said; you are seeking to prove what we said.

Mr. VANCE. Yes, from our own papers, though.

Mr. LAPHAM. That you have no right to do, though; that is, prove a man's own declarations in his paper.

Mr. VANCE. Certainly, we are accused of saying hard things and unfair things in the election.

Mr. LAPHAM. What tendency has this to contradict that?

Mr. VANCE. That has a tendency to show that the other side did precisely the same thing.

Mr. LAPHAM. Oh, that is not an answer to it.

Mr. VANCE. I think it is. I have asked witnesses repeatedly if your side did not do the same thing, and Mr. John Wise said no.

Mr. LAPHAM. Whatever witnesses say of their own knowledge——

Mr. VANCE. This witness heard, you must recollect; I only put in the paper to refresh his memory. If not competent to put in the paper I will ask him to read it.

The WITNESS. Give me the paper and I will read what I heard him say.

Mr. VANCE. Oh, there is no need of that; the paper can go in.

The WITNESS. I think it is better not to go in as an extract of the paper. This is my statement; I wrote that myself.

Mr. VANCE. Well, it does not matter; it goes in as part of your testimony.

Q. Were you a candidate last fall?—A. Yes, sir; I was the nominee of the Conservative party.

Q. Who was your opponent?—A. I had numerous opponents, but I believe on election day Mr. Cobbs and Mr. Adams were two of the Coalition candidates. Pittsylvania and Danville is entitled to three representatives in the lower house, and our three candidates, Dr. Keen, Mr. Anderson, and myself were opposed by these two gentlemen. They did not succeed in getting a third man to run, although they had Mr. Davis upon the ticket.

Q. Did you meet Mr. Sims in that discussion anywhere?—A. No, sir; we refused to divide time.

Q. Now, he so said here,; will you tell why that was?

Mr. LAPHAM. He says the fact is that they refused.

The WITNESS. Yes, we refused. I can explain why.

Mr. LAPHAM. I object to it.

Mr. VANCE. Well, I don't.

The WITNESS. Two years ago, or rather in 1881, when I was a can-

didate for the legislature, one of the nominees of the Conservative party, along with Mr. Oliver and Mr. Davis, we made appointments all over the county to speak from the day we were nominated up to the day of election. We invited our opponents, Mr. Hubbard, Mr. Blackwell, now corporation judge of Danville, and a colored man, W. H. Pleasants, to meet us and discuss the issues. At first they met us, and the colored people came out to these discussions. Then, for some reason unknown to us, Pleasants failed and neglected, and we supposed refused, to meet us in these appointments. Our white opponents would meet us, however, at these appointments in the daytime and discuss the issues with the audience which had been collected, who were mostly our friends, but our colored opponent did not meet us; but we heard of him, however, making these night speeches all over the county to these colored people, and when he failed to meet us the colored people failed to attend the meetings. When this other canvass came on this fall we said we will not divide the time with you; you will not allow the colored people to attend, and you wish to convert our friends and give us no chance to convert your friends. Now, if you want meetings, go on and have them by yourselves.

Q. That is the reason you would not discuss with them?—A. That is the reason.

Q. If they had brought their friends out and heard both sides you would not have refused?—A. We thought there was no earthly good for our party to have our party friends being addressed by their nominees when we had no audience of their political faith to address our remarks to.

Q. Do you know whether Mr. Sims sought to secure the Congressional nomination of the Democratic party in 1882?—A. In 1882—well, it seems to me I have always heard of him being a candidate for Congressional nomination there until he joined the Readjuster party.

Q. Do you recollect where the convention was held in 1882?—A. At Martinsville.

Q. Were you present at any local meeting at Chatham to appoint delegates?—A. No, sir; I was not present.

Q. You were not there?—A. No, sir.

Q. You do not know what was done then?—A. Only by hearsay.

Q. What is properly and honestly the politics of Pittsylvania County, Democrat or Republican?—A. It is conservative Democrat.

Q. By how much?—A. Well, the majority has varied a great deal; Pittsylvania is probably one of the few counties of the State that has never been carried by either the Republican party, or the Readjuster, or the Coalition party. It has never been carried up to within the last few years, from 1872—I think that was the last political nomination made in Pittsylvania for the legislature—from 1872 up to 1881 there were no regular political fights there at all. They had one year there seventeen candidates for the legislature, everybody running who wanted to run, but when General Mahone took charge of the Coalition party he introduced a new system. They had a convention, this convention nominated these gentlemen I speak of, Mr. Blackwell, Mr. Hubbard and Pleasants. That was the first Coalition or Republican convention which had been held in Pittsylvania for a long time, I suppose.

Q. Do you know about what time Mr Sims dissolved his connection with the Democratic party?—A. I think it was some time in August. I was at the White Sulphur Springs at the time, and I saw a telegram in the Richmond Dispatch, I think it was, saying Sims had come out as an independent candidate for Congress.

Q. How long was that before the meeting of the convention at Martinsville?—A. That was a very short while.

Q. Did you ever see his pronunciamento saying why he joined the Republican party?—A. I saw his letter to Judge Holston saying why he joined the Readjusters. He did not pretend to be in sympathy with the Readjuster party, but opposed to ring-rule and life-tenure of office, which referred to Colonel Cabell's long term here in Congress.

Q. Can you recollect the date on which the local district meetings were held in Pittsylvania County to appoint delegates to go to Martinsville?—

A. No, sir; I cannot. I do not think I was in the county at the time.

Q. Do you know what month it was in?—A. Well, I suppose it was in August, but really I don't know.

Q. Do you recollect the date of the Martinsville convention?—A. No, sir; I do not. I was at the convention.

Q. Well, that has been proven here to have been on the thirty-first of August?—A. No doubt that is the date. I was at the convention.

Q. Now, can you tell within a very short time of when these local meetings to appoint delegates were held?—A. They were held some time during August. I have no doubt of that.

Q. Now up to the time that you saw this letter to Mr. Holston from Sims he had been a pronounced and decided Democrat, had he not?—

A. Yes, sir, he was one of the most pronounced in that section, and that was one reason why he was so often defeated in securing the nomination. That district was a Readjuster district in State politics. The county of Grayson, for instance, would go one fall for the Readjuster candidates by 600 or 700 majority. Colonel Cabell, who was a very conservative man, however, would carry it the following fall for Congress. But the Democrats all felt that Sims was a weak candidate, and that was one reason why there was so much objection to nominating him, and Colonel Cabell had made a most efficient Representative.

Q. Do you know any reason for his turning over and joining the Readjuster party?

Mr. LAPHAM. I object to that. Mr. Sims was on the stand, and he was the person to answer the question.

Mr. VANCE. I did ask the question, and he pointed to the pronunciamento as his reason.

Mr. LAPHAM. Well, was it put in evidence?

Mr. VANCE. Well, if this witness knows of anything in regard to the statements——

The WITNESS. Of course, I do not know it.

By Mr. VANCE :

Q. I was not asking mere supposition; I thought perhaps you know some of his reasons that were not assigned in the circular.—A. Well, I do not know that I do know it.

Q. Of course, if you do not know it I will not ask you.—A. I was always opposed to Mr. Sims's nomination, and prejudiced against him.

Q. You were not his friend, even when he was a Democrat?—A. No, sir; I knew he was a weak man. He was the weakest man in the county.

Q. Do you know anything about the treatment there, which is a subject of inquiry with us, that the colored people give to one another when they turn Democrats?—A. Of course, on that subject I will just have to give my opinion from my long intercourse with them.

Mr. LAPHAM. Oh, well, that is not competent. We have got to have facts.

Mr. VANCE. We have received evidence from a gentleman when he got his information from the colored people themselves.

Q. If you know of any cases of persecution or ostracism, as related to you by any colored man himself, we will hear it.—A. I am morally certain that such is the case, but I really could not give the names of the colored people that mentioned it.

Q. Cannot give any particulars?—A. No; I could state that I believe——

Mr. LAPHAM. That should not be taken, then.

By Mr. VANCE:

Q. How were the colored people generally in Pittsylvania County in politics?—A. They are nearly all Republican. There are thirty precincts in Pittsylvania, and I reckon they will average—they may average—4 to a precinct—Democrats.

Q. That would be 120, perhaps, in the whole county?—A. Yes, sir.

Q. What is the total colored vote of the county?—A. The total colored vote is——

Q. The city and county, I mean.—A. Well, I really don't know. The census will show, I think. I took a statement of the county vote. The negro vote in Pittsylvania County is 5,812.

Q. Well, there is not anything like 1 per cent. of that Democratic, then?—A. Oh, yes; 1 per cent. would be 50; it is over 2 per cent.

Q. About 2½ per cent.?—A. Something like that. I have no doubt a good many colored people in Pittsylvania, when approached by Democrats to vote with them, compromise by not voting at all.

Q. You think that it would be safe to say there is not over 3 per cent. in the county that vote the Democratic ticket?—A. That were Democrats outspoken. There are some precincts in the county where we never get a colored vote.

Q. In your last canvass what did you observe? What can you tell the committee in reference to raising the race issue, as it is called?—A. In the first place, when we make a poll of the county, we have a very thorough organization in Pittsylvania.

Q. On both sides?—A. Well, Colonel Sims did organize the county better this time than it ever has been organized for the opposition. We generally put down the whole crowd of colored people against us. Then we make some such supposition as I have stated here—that we perhaps get on an average 3 or 4 or 5 at every precinct in the county. If we obtain 5, that is 150 taken from the other side and makes a difference of 300. Well, I think our poll in the county gave the Coalitionists 77 white votes in the county, and I doubt whether they got that many. The feeling between the two races there, I think, is of a very kindly character. It is, of course, somewhat embittered during the election times. There is a negro waits on me—has waited on me for five years—I am sure he has a very kindly feeling for me. I have nothing but the kindest feeling for him. I have been a candidate for office twice there, and both times he has worked against me with all his might and main. On that subject he is the head of the party at that precinct.

Q. But it has made no difference in your personal relations?—A. No, sir; he seemed to think it was his bounden duty to go as the head men said. Our increased vote in Pittsylvania this time, as you will see by reference to comparative statements, was not from securing colored votes, but by bringing out more thoroughly than probably ever before the full Democratic strength.

Q. Was any of it due to keeping colored votes at home?—A. Well,

our increased vote could not have been due to that fact, because those who staid at home did not vote at all.

Mr. LAPHAM. Your majority though?—A. Our majority might have been secured by staying at home, but they secured 600 more votes than they ever did before, and if the negroes had voted at New Design precinct it would probably have been 800 more.

By Mr. VANCE:

Q. How about Danville?—A. I am including Danville in my estimate of Pittsylvania.

Q. Before we get away from it I will ask you to look at this, what purports to be a call of the chairman of the executive committee of Pittsylvania County, and ask if that will refresh your memory as to the date of these local meetings?—A. Yes, sir; this is it. I am a member of this committee of which Mr. Whitehead is chairman, signs himself as superintendent here. Yes, sir; the 12th of August; this is the date at which what we call the district meetings there—there are seven magisterial districts, I believe, in the county, and there were seven district primaries, in which the people were called upon to assemble and appoint delegates to nominate a candidate for governor.

Q. Now, look at that again. You say it was the 12th of August it was held?—A. I am sure it was so, because it is published there in the county, and Mr. Whitehead is the chairman of the committee and I am a member of the committee. I know it was some time in August.

By Mr. LAPHAM:

Q. What year is that?—A. Eighteen hundred and eighty-two. This is the Congressional election in which Mr. Sims ran against Colonel Cabell. As I was saying a few moments since in reference to our increased majority last fall, it was due to the bringing out of the Democratic strength. I will just call your attention to the fact that in the fall of 1882 the Democratic party received 3,767 votes and the Readjuster party 2,895 votes. In the fall of 1883 the Coalition party received 3,547 votes and the Democratic party 4,798 votes, increasing their vote 1,031, and the Coalition party increasing their vote 652.

Q. Now, it has been stated here that the cause of this excitement and increased vote, &c., was the raising of the race issue. I want to ask you, as a member of the legislature, if there were any other issues that the Democratic party assailed the Coalitionists upon that were prominent and took hold of the public feeling?—A. There were a great many. I made a great many speeches, both as a candidate and canvasser, and these other causes, arousing the people against Coalition rule, could be as well addressed to Democrats and Republicans and colored people all alike. If you will glance over the proceedings of the legislature of 1881, of which I was a member, and one of the minority, you will find that the leading Coalition measures which were defeated from what was known as the "big four" acting with the Democratic party are the judiciary bill, the apportionment bill, and railroad commissioner bill, and then a great many other minor measures, such as changing charters of cities. Take the first bill, for instance; take the judiciary bill. Under the constitution of Virginia, or rather the laws of Virginia, as it now stands we had thirteen judicial circuits with the judge elected for the constitutional term of eight years. These men were elected almost in every case because of their eminent fitness for the position; men not taken from political motives, but men of character and attainments. Their constitutional terms had not expired by some four years.

The committee adjourned until Monday, April 7.

WASHINGTON, D. C., *Monday, April 7, 1884.*

D. D. MUMFORD; examination continued.

Mr. VANCE. When we adjourned Saturday you had started an answer to a question of mine to tell of certain acts of the legislature that took hold upon the public mind and caused a large turn out of Democrats in opposition to it—certain attempted action of the Coalition legislature. You may now proceed.

The WITNESS. Yes; I was going on to say among the prominent acts attempted to be carried through by that legislature was, first, the judiciary bill. This was a bill to remove from office by rearrangement of the judicial circuits in the State the eighteen circuit judges who had been elected by previous legislatures four years before the expiration of their constitutional terms. The previous general assembly, controlled by the Coalition party, had elected county judges, and these county judges in many instances were men as utterly ignorant of law as they were destitute of character, and this attempt to remove the circuit judges of the State—men in every way qualified by character and attainments for the positions—and substitute in their stead men whose appointment was generally a result of their partisan services, was looked upon by the people, of course, with great disfavor. Another bill that aroused the people was the bill known as the “commissioner of land sales bill.” Under the law of Virginia now whenever in any suit or proceeding in chancery the sale of land is decreed the parties in interest can appoint whosoever they desire to sell the land and giving bond, the party giving the necessary bond for the faithful performance of his duty. Under this bill it was provided that the governor should appoint for every county and city in the State a commissioner, to be known as commissioner of land sales, who shall have power to sell all the land decreed to be sold and to collect all the bonds given for the purchase money, and in any proceedings thereto, by consent or otherwise. This bill also provides that this commissioner should designate a newspaper or newspapers in which not only all advertisements connected with his office should be inserted, but all the orders of publications and other advertisements connected with the court of which he was the commissioner should also be inserted. This commissioner, as I before stated, was to be appointed by the governor.

Q. How many of them?—A. One for each city. It would have been one hundred and thirteen, or thereabouts.

Q. New offices created?—A. Yes, sir; and the attempts made by the Democratic party to have these officials elected by the people—now the sheriff ex officio is commissioner of sales, a man who is also elected by the people—were defeated. Another bill was a reapportionment bill. Virginia, under the census of 1880, had a population of 1,512,565. She was entitled to ten Congressmen. A proper reapportionment bill would give to each district 150,000 people, or thereabouts. Under this bill, which was passed by the Coalitionists through the lower house, where they had a majority, the fourth district, which is taken from the South Side, the negro counties, consisted of the counties of Prince George, Dinwiddie, Sussex, Lunenburg, Greensborough, Surry, and the city of Petersburg; and these counties respectively contained the following inhabitants: 10,500, 32,870, 10,062, 11,535, 16,707, 8,407, 24,610, 7,391, of population, Petersburg being included in the county of Dinwiddie. The aggregate of the population included in this fourth district was 121,636. This was in the black belt, the strongest negro-voting section of the State. The sixth district, however, which was in the strong

Democratic section, and in which the county of Pittsylvania was placed, consisted of the counties of Albemarle, Nelson, Amherst, Bedford, Campbell, Pittsylvania, and the cities of Lynchburg and Danville, and contained the following inhabitants, respectively.

Q. Just give the totals, please.—A. One hundred and eighty-seven thousand nine hundred and seven, being a greater number of population than the fourth district of 66,271. There were 66,271 more people in this sixth district, which is a strong Democratic and white district, than in the fourth district, which is a strong negro and Coalition district. And the people of Virginia, while perfectly willing to accord to the negroes their rights before the law, do not think it right to disfranchise white people, and place them at a disadvantage with their colored brethren.

Q. If you have the vote by counties we would be glad to include it in your statement.

It is as follows :

AID TO REAPPORTIONMENT.—VOTE OF VIRGINIA FOR WISE AND MASSEY AND FOR THE LEGISLATURE.

[From Dispatch of December 21, 1883.]

From official and unofficial returns received by the *Dispatch* of the late election in Virginia we have compiled the following table. In ascertaining the popular vote, the vote for members of the House of Delegates is given, and where more than one delegate was elected by a city or county the vote is given of the member of each party receiving the highest number. The Democratic majority thus ascertained is 17,934. Wise's majority over Massey in 1882 was 5,857 :

	1882.		1883.	
	Wise.	Massey.	Democrats.	Coalitionists.
Accomack	1,269	2,000	2,586	1,156
Albemarle	1,852	2,254	3,036	2,226
Alexandria County	197	185	236	329
Alleghany	241	274	674	443
Amelia	608	230	608	904
Amherst	889	1,589	1,861	980
Appomattox	720	559	873	888
Augusta	2,014	2,782	3,253	2,240
Bath	299	315	483	399
Bedford	1,706	2,672	3,377	1,524
Bland	260	381	492	514
Botetourt	683	1,008	1,635	797
Brunswick	1,438	247	1,152	1,571
Buchanan	300	47	199	390
Buckingham	1,310	687	1,275	1,506
Campbell, including Lynchburg	1,041	1,610	4,017	2,888
Caroline	1,152	1,040	1,283	1,566
Carroll	754	856	1,303	1,009
Charles City	481	214	405	612
Charlotte	1,347	585	1,538	1,071
Chesterfield	Thrown out.		1,906	1,562
Clarke	351	981	1,154	359
Craig	39	165	630	72
Culpeper	950	1,165	1,476	1,135
Cumberland	897	287	618	1,029
Dinwiddie	1,172	305	549	671
Dickenson	170	37	320	255
Elizabeth City	665	415	449	778
Essex	899	662	869	1,105
Fairfax	1,442	1,539	1,801	1,462
Fauquier	1,250	2,065	2,263	1,339
Floyd	668	653	957	1,248
Fluvanna	597	648	1,064	807
Franklin	1,450	1,928	2,816	1,650
Frederick	370	1,173	1,383	435
Giles	409	438	895	577
Gloucester	Thrown out.		1,164	1,248
Goochland	689	493	787	764
Grayson	689	764	1,156	1,116
Greene	538	363	557	398
Greensville	890	370	612	987
Halifax	2,610	2,062	3,280	2,985

	1882.		1883.	
	Wise.	Massey.	Demo- crats.	Coalition- ists.
Hanover	1,008	1,309	2,138	1,641
Henrico	1,481	1,043	1,971	2,162
Henry	998	1,077	1,568	1,346
Highland	500	387	519	482
Isle of Wight	844	1,007	1,190	1,189
James City	360	157	376	615
King and Queen	757	743	1,011	946
King George	635	347	579	699
King William	712	459	901	982
Lancaster (Carter's Creek not in)	701	509	570	586
Lee	732	550	1,253	1,290
Loudoun	1,120	2,138	2,286	1,267
Louisa	1,181	1,010	1,434	1,594
Lunenburg	879	164	818	1,048
Madison	886	618	945	919
Matthews	324	523	853	477
Mecklenburg	2,016	614	1,582	1,934
Middlesex	543	367	583	783
Montgomery	601	715	1,393	1,299
Nansemond	1,102	777	1,297	1,825
Nelson	1,060	1,300	1,615	1,130
New Kent	439	245	499	648
Norfolk County	1,791	1,247	1,898	1,841
Northampton	927	673	862	915
Northumberland	627	797	789	582
Nottoway	1,123	128	390	1,029
Orange	586	906	1,260	1,062
Page	969	644	841	1,169
Patrick	497	886	1,154	708
Pittsylvania	2,895	3,767	4,798	3,547
Powhatan	804	263	635	828
Prince Edward	1,471	444	977	1,498
Prince George	564	233	384	719
Prince William	228	942	993	570
Princess Anne	758	572	988	962
Pulaski	554	582	890	661
Rappahannock	470	744	887	710
Richmond County	694	433	665	715
Roanoke	844	521	1,538	1,398
Rockbridge	1,496	1,431	2,196	2,050
Rockingham	2,609	1,998	2,635	2,678
Russell	586	367	900	1,475
Scott	1,023	277	1,292	1,597
Shenandoah	1,608	1,308	1,794	1,912
Smyth	864	534	1,052	1,055
Southampton	1,574	1,073	1,930	1,900
Spotsylvania	599	566	826	887
Stafford	569	502	708	745
Surry	455	443	660	849
Sussex	952	503	777	1,216
Tazewell	1,349	409	1,010	1,717
Warren	202	822	939	269
Warwick	216	130	417	585
Washington	1,653	1,325	2,632	1,993
Westmoreland	855	386	769	854
Wise	407	206	755	419
Wythe	887	502	1,521	1,229
York	553	342	607	639
CITIES.				
Richmond	3,020	5,465	7,895	5,278
Petersburg	2,035	1,000	1,924	2,182
Norfolk	1,531	1,575	2,088	2,407
Alexandria	776	1,375	1,757	990
Manchester	733	597	1,015	571
Staunton	415	695	762	441
Portsmouth	864	1,036	1,248	1,227
Winchester	496	409	444	429
Williamsburg	175	51	92	165
Lynchburg	1,260	1,510	(*)	(*)
Danville	841	663	903	26
North Danville	115	181	220	00
Fredericksburg	227	514	592	301
Add Chesterfield (thrown out)	1,240	1,178	.....	.....
Add Gloucester (thrown out) .....	.....	Maj. 33	.....	.....
Totals	101,232	95,395	144,855	126,951

* Included in Campbell.

Males of voting age in each county of Virginia—census of 1880 (official).

Counties.	Males of twenty-one years of age and over.		
	White native.	White foreign.	Colored.
Accomack.....	3,575	30	1,882
Albemarle.....	3,613	162	3,122
Alexandria.....	2,163	381	1,674
Alleghany.....	1,022	52	391
Amelia.....	725	60	1,425
Amherst.....	2,229	55	1,716
Appomattox.....	1,154	3	907
Augusta.....	6,076	266	1,873
Bath.....	766	18	224
Bedford.....	4,176	67	2,429
Bland.....	1,027	7	43
Botetourt.....	2,270	57	1,296
Brunswick.....	1,389	7	1,294
Buchanan.....	1,035	1	5
Buckingham.....	1,553	32	1,623
Campbell.....	4,068	306	3,912
Caroline.....	1,725	37	1,664
Carroll.....	2,513	8	63
Charles City.....	449	13	762
Charlotte.....	1,349	49	2,055
Chesterfield.....	3,016	231	2,507
Clarke.....	1,233	18	542
Craig.....	787	4	40
Culpeper.....	1,599	42	1,245
Cumberland.....	742	14	1,426
Dinwiddie.....	3,323	203	3,741
Elizabeth City.....	1,126	567	1,591
Essex.....	847	6	1,315
Fairfax.....	2,548	224	1,191
Fauquier.....	3,066	131	1,831
Floyd.....	2,412	9	224
Fluvanna.....	1,299	7	995
Franklin.....	3,690	10	1,455
Frederick.....	3,560	115	520
Giles.....	1,563	23	235
Gloucester.....	1,287	17	1,339
Goochland.....	976	17	1,199
Grayson.....	2,420	10	166
Greene.....	858	4	288
Greenville.....	664	28	1,165
Halifax.....	3,028	26	3,814
Hanover.....	2,207	41	1,780
Henrico.....	9,827	2,030	8,963
Henry.....	1,861	7	1,379
Highland.....	1,032	12	86
Isle of Wight.....	1,425	13	1,078
James City.....	610	38	707
King and Queen.....	992	6	1,092
King George.....	716	9	646
King William.....	818	17	1,085
Lancaster.....	641	9	672
Lee.....	2,821	5	140
Loudoun.....	4,030	93	1,502
Louisa.....	1,739	37	2,036
Lunenburg.....	1,049	36	1,222
Madison.....	1,353	10	791
Matthews.....	1,209	10	491
Mecklenburg.....	1,877	35	2,922
Middlesex.....	641	7	687
Montgomery.....	2,643	21	768
Nansemond.....	1,896	24	1,882
Nelson.....	2,066	31	1,367
New Kent.....	575	8	712
Norfolk.....	7,033	886	7,222
Northampton.....	995	7	1,123
Northumberland.....	1,068	17	692
Nottoway.....	734	25	1,471
Orange.....	1,398	64	1,255
Page.....	1,956	17	224
Patrick.....	2,015	2	441
Pittsylvania.....	5,861	150	5,812
Powhatan.....	684	23	1,007
Prince Edward.....	1,146	34	1,972
Prince George.....	821	33	1,577
Princess Anne.....	1,276	13	1,016
Prince William.....	1,524	103	509

Males of voting age in each county, &c.—Continued.

Counties.	Males of twenty-one years of age and over.		
	White native.	White foreign.	Colored.
Pulaski	1,397	28	489
Rappahannock	1,361	10	609
Richmond	873	20	652
Roanoke	1,845	22	942
Rockbridge	3,235	71	1,038
Rockingham	5,755	116	644
Russell	2,587	6	231
Scott	3,223	8	129
Shenandoah	3,936	83	226
Smyth	2,216	18	321
Southampton	1,745	23	2,147
Spottsylvania	1,953	102	1,186
Stafford	1,289	34	351
Surry	751	11	1,278
Sussex	879	15	1,429
Tazewell	2,238	15	337
Warren	1,389	28	312
Warwick	198	6	385
Washington	4,496	43	893
Westmoreland	906	17	919
Wise	1,493	3	17
Wythe	2,427	85	565
York	625	17	1,009
Totals	198,277	7,971	128,257
Grand total :			
Whites			206,248
Blacks			128,257
White majority			*77,991

* Increased by this time to 80,000.

The WITNESS. Another bill was the bill known as the tobacco inspection bill. By the provisions of this bill it was attempted to give the governor the power to appoint a tobacco inspector, with large fees, to be collected of the tobacco trade; that is, the purchasers and planters, the sellers of tobacco in the Commonwealth of Virginia. This would have given to the governor and his party a large number of additional officers, without any appreciable benefit to the people.

Another series of bills attempted to be carried through there were the bills amending the charters of the several cities of the Commonwealth; amending the charter of the city of Lynchburg, and of the city of Lexington, in which it was attempted by gerrymandering the cities into wards to give the negroes, who had control of the majorities in the wards, control of the cities so as to give the negroes control in the councils. They also carried a bill to amend the charter of the city of Norfolk, by which they provided that the board of police commissioners should consist of the mayor and two police commissioners, who were to be appointed by the hustings judge; the hustings judge being elected by a legislature, the legislature controlling all the courts; and changing the law which provided that the police commissioners should be elected by the councils, which were elected by the people.

Then the bills to remove the school trustees throughout the State and change the manner of appointment. Under the law as it previously existed, the school trustees in the several counties were elected by the local boards, composed of the county judge, the county school superintendent, and the Commonwealth attorney. This new law proposed to

elect by an educational board at Richmond, thus taking from the local authorities the right to elect these local officers and place it at the headquarters at Richmond.

Another objectionable feature which entered into the canvass was the pledge demanded by Mahone of his candidates to the legislature. I will read this pledge. It was demonstrated in the canvass that in the preceding election Mahone had sent out from his headquarters, and required to be signed and forwarded to him by many of his candidates for the legislature, the following pledge:

I hereby pledge myself to stand by the Readjuster party and platform, and go into the caucus with the Readjuster members of the legislature, and vote for all measures, nominees, and candidates to be elected by the legislature that meets in Richmond as may be agreed upon. Given under my hand and seal.

This measure was held up before the people; and the idea of having a pledge, a secret caucus pledge, was, of course, not agreeable to the people.

Q. That was before the legislature met?—A. Yes; and it entered into the canvass.

Q. Before the election?—A. Yes, sir; it was before the election. Another series of bills, which were actually passed, and which excited the indignation of the people of Virginia, were the bills removing, before the expiration of their legal terms of office, without any ground of complaint, the board of directors at the University of Virginia, the Virginia Agricultural and Mechanical College, the Virginia Military Institute, the Deaf and Dumb and Blind Institute, the Eastern Lunatic Asylum, the Central Lunatic Asylum, and the Western Lunatic Asylum. These boards were removed, and not only were the boards removed, but in the case of the charitable and eleemosynary institutions the whole corps of officials was removed, and men, in many cases without capacity, were substituted instead for these men who had been selected because of their capacity, and who had been there for a long number of years.

The party was also arraigned because they converted the whole educational system of the State into a vast political machinery—and the superintendent of public instruction, who was a man admittedly incapable of the proper discharge of his duties, down to the humblest school-teacher of the Commonwealth—for endeavoring to make it a part and parcel of a great political machine for the furtherance of their political fortunes. I will just say that I think these bills (some of which were carried through, and others of which were attempted to be carried through) caused the white people of Virginia to unite in one supreme effort to break down this Coalition rule, and that opposed to them in this effort was a solid mass of the political vote, led by these political adventurers that combined with Mahone.

Q. You think that those measures, taken together, aroused sufficient indignation to bring out a large vote, without any appeal to the race issue?—A. There is no doubt of it. Of course the fact that the negroes were arrayed in behalf of these measures intensified the excitement.

Q. That excitement began before that legislature dissolved, did it not?—A. Oh, yes; I think so. Of course it waxed warm as the canvass advanced.

Q. There were some defections from the Coalition party in the legislature?—A. What was known as the "big four."

Q. They broke the Coalition majority of the senate?—A. They broke the Coalition majority of the senate; and because of their services they practically divided the people of Virginia, I believe.

Q. Did you have any appointment to speak in North Danville just before the election?—A. Yes, sir; I had an appointment to speak in North Danville the Monday before the election. I think the election was on Tuesday. I had appointments all through the canvass for every day, probably, during the last month of the canvass.

Q. Did you speak?—A. No, sir; I did not. I went over to Danville to fill my appointment, and various prominent citizens and leaders of the party there suggested, in view of the excited state of the public mind, it was best not have any meeting or congregation of the people together.

Q. And in the interests of peace you gave it up?—A. Yes, sir; though I did not suppose that anything I would say would arouse a difficulty; but they did not want to have the people assembling together.

Q. Are you acquainted with the general character of Mr. Sims as it is in the community there now, or was last fall?

Mr. LAPHAM. What is the question?

Mr. VANCE. I ask him if he is acquainted with the general character of Mr. Sims.

A. Well, I heard various reports about Mr. Sims.

Mr. VANCE. Well, you know what constitutes general character?

The WITNESS. Yes; I suppose so.

By Mr. LAPHAM:

Q. One moment now. Where does Mr. Sims live?—A. He lives at Chatham—that is, he used to live at Chatham.

Q. How far from where you live?—A. I live in the same place.

Q. Go on then.

By Mr. VANCE:

Q. From those rumors, would you say his general character was good or bad, as a man of integrity?—A. Well, of course I heard varying reports. I have heard men speak highly of him, and I have heard men speak derogatory of his character. That, I think, is about the way I have heard. It may be that I have heard a larger number speak derogatory of him than I have heard on the other side.

Q. What did these derogatory rumors relate to?—A. Well, I have heard remarks of his——

Mr. LAPHAM. Oh, you cannot ask particulars, governor, on such an examination.

Mr. VANCE. Well, I suppose if there is any particular matter from which a general reputation has arisen I can show that.

Mr. LAPHAM. You cannot ask a witness to give any particular matter on such an inquiry. The inquiry necessarily must be general.

Mr. VANCE. But if I can show you any act that the general reputation has arisen from?

Mr. LAPHAM. No, sir; that is not admissible.

Mr. VANCE. I think that is the law.

Mr. LAPHAM. Oh, no; it is well settled the other way.

By Mr. VANCE:

Q. Had he any general reputation for want of integrity as a lawyer?

Mr. LAPHAM. That I object to, on the ground that an inquiry of an impeaching witness cannot be made by the party calling him.

Mr. VANCE. You know I asked that question of Mr. Sims himself, and he objected——

Mr. LAPHAM. I was not here when he was examined.

Mr. VANCE. I notified the committee, as the record will show, that I would make this inquiry as to his character.

Mr. LAPHAM. My point is that you have no right to ask particulars of a witness you have called for the purpose of impeaching Mr. Sims's character.

Mr. VANCE. Now, I am perfectly content to let the record show my question and your objection. I propose to show that Mr. Sims's character was bad for integrity; that he is not regarded as an honest man, and you objected to it.

Mr. LAPHAM. Well, you ask the question, and I object to that; that presents the point.

By Mr. VANCE:

Q. Well, I will ask you if he is not regarded as a man devoid of integrity as an attorney?

Mr. LAPHAM. That I object to, on the ground that an inquiry as to particulars is not admissible by a witness called for the purpose of impeachment.

Mr. VANCE. Is that question one of particulars or is that general.

Mr. LAPHAM. Oh, that is one of particulars.

Mr. VANCE. No; I ask not the particular act; but in the respect that you ask a man's general character as a peaceable man; you ask a man's general character, as a man of truth, as a man of integrity.

Mr. LAPHAM. I ask as to his general character as a peaceable man, where his character is assailed as to violence. That issue has been made; that is a different thing.

Mr. VANCE. Mr. Sims has undertaken to assail here the character of twenty-five or thirty respectable citizens of Danville, branding them as liars, cowards, and all that.

Mr. LAPHAM. Oh, well; that is well understood what he referred to. He made no assault upon them as citizens.

Mr. VANCE. Now, I want to show what his own character is.

Mr. LAPHAM. My objection is, that you have no right to show it by a witness called for that purpose.

Mr. VANCE. How could I show it then?

Mr. LAPHAM. Well, you asked the proper question at the outset, and the witness answered that there were conflicting stories—the Democrats talked one way, and the Readjusters the other.

Mr. VANCE. Now, I am sure you will agree with me when I ask what is the general character of A and B.

Mr. LAPHAM. I do not object to that question.

Mr. VANCE. You do not? Then I go on to show in what respect is it bad, and you say that I cannot show that.

Mr. LAPHAM. No, sir; you cannot even ask that question under any rule you can find.

Mr. VANCE. Then all the law-books in this country ought to be burned.

Mr. LAPHAM. Well, there is not an authority in the world that will sustain such a question as that.

Mr. VANCE. That you cannot ask any explanation of the general question in what respect it is bad?

Mr. LAPHAM. You can ask what his reputation was for truth and veracity. That is competent.

Mr. VANCE. And then cannot ask what his reputation for honesty is?

Mr. LAPHAM. No, sir.

Mr. VANCE. Well, I give it up, then.

Mr. LAPHAM. You cannot make an inquiry in respect to what his reputation is in his profession; that you cannot ask. There never was such a rule.

Mr. VANCE. Well, I want to show it on the record anyhow. I will take it to the Senate. You cannot shield Mr. Sims in that way. I will have something to say in the United States Senate about that.

Mr. LAPHAM. You will find me there with the authorities, if need be.

Mr. VANCE. Very well. The question is asked, and you decline to allow it to be answered. You may cross-examine this witness.

By Mr. LAPHAM:

Q. You spoke first of a speaker by the name of Fernold. Was he a candidate for office?—A. No, sir.

Q. Where does he live?—A. He lived, at the time to which I alluded, in Danville, and was collector of internal revenue. He is now in the asylum, I understand. I have no personal knowledge of him.

Q. How long did he talk; how long was his speech?—A. I suppose he spoke for certainly half an hour.

Q. Now, the editorial you furnished—you say you wrote that editorial?—A. Not an editorial.

Q. Yes; it was published as an editorial.—A. Well, it may be published as an editorial.

Q. You say you wrote it? An account of his speech that you introduced you wrote yourself?—A. I heard him speak, and I took down what he said.

Q. The question I asked is whether you wrote it.—A. Yes, sir.

Q. That is the point.—A. Yes, sir. I just wanted to say, though, that it was in his words.

Q. It is not a full report of his words?—A. No, sir; not a full report.

Q. Now do you not know the fact that he was not a speaker in the service of the Readjuster party?—A. No, sir; I do not know that at all. I know that he was speaking with it.

Q. Yes; but do you not know that he was not engaged by Readjusters to advocate their cause?—A. I do not know that he was. I just know that he was speaking that day.

Q. You do not mean to say then that he was a Readjuster speaker?—A. I mean to say he was speaking in behalf of the Readjusters that day, though whether by official appointment or not I do not know of course.

Q. Was he not recognized as a straightout Republican?—A. I really do not know about that.

Q. Do you know of his making any other speech than the one you referred to?—A. I heard him state that he had.

Q. You do not know it though?—A. No, sir; I do not know it except through his statements to me.

Q. Now, who made the proposition to you to divide time in your discussions?—A. No one made the proposition to me; the proposition was made from Colonel —

Q. You say there was a proposition made with reference to dividing the time?—A. The proposition was made, I believe, through Colonel Sims, the chairman of the Coalition party, to Mr. Whitehead, who was chairman of our party, and who made the appointments for our speakers.

Q. And you refused to divide the time?—A. Our chairman refused; yes, sir.

Q. Do you not know that Mr. Fernold was opposed and had always

been opposed to Mr. Mahone?—A. Well, he may have been originally, but I do not know that he was opposed to him at the time I allude to.

Q. You know that he has been opposed to him?—A. I think probably two years before that I had heard that he was opposed to Mr. Stovall, who was a candidate for the senate.

Q. Was he not regarded as a man of unbalanced mind at that time?—A. Well, I never heard that he was unbalanced at that time. It has since developed.

Q. He has since gone to the asylum?—A. Yes, sir.

Q. Was he not talked about as a crazy man long before he made this speech that you heard?—A. I don't know as he was talked about as a crazy man before that. I have always heard him talked about as an intense partisan.

Q. Now, in Virginia each party appoint their own speakers, do they not?—A. Yes, sir.

Q. And you have no knowledge that this man was ever designated by the Readjusters as one of their speakers?—A. No, sir.

Q. You have stated the reasons, as I understood them, why the request was refused?—A. Yes, sir; I stated the main reason, I think.

Q. Has it not been the custom in Virginia to divide time?—A. Yes, sir.

Q. Did you ever know it to be refused before?—A. I have no doubt there may have been a great many cases in which they were refused on account of some——

Q. No; but as a rule?—A. No; I never have, as a rule.

Q. How many speeches did you make?—A. I really do not know. I made a great many. I had a great many appointments. I reckon I spoke probable twenty or twenty-five times. Pittsylvania is a very large county.

Q. And you had no discussion with anybody of the opposite party?—A. Well, I was sent to Henry Court-House to meet Mr. McCall.

Q. After this refusal to divide time?—A. This refusal to divide time was only in our county, in Pittsylvania.

Q. Then, it is confined to Pittsylvania County?—A. It was confined to Pittsylvania.

Q. Were you a candidate?—A. Yes, sir.

Q. Now, I ask you whether you had anybody of the opposite party to discuss with you in that county during the canvass?—A. I do not think I did; no, sir.

Q. Were the names of the Readjusters who were to be engaged in the canvass furnished when this proposition was made?—A. Furnished by the chairman of the Readjuster party?

Q. Yes.—A. I do not think they were. I just think he made a proposition to divide time; and probably the idea was that the candidates of the Coalition party were to meet the candidates of the Democratic party.

Q. Was it not known to your people who the discussions would be carried on by in behalf of the Readjusters?—A. I suppose it was understood that their candidates would be the people; then, upon one or two court days, there was a proposition made to divide time.

Q. Where were you on the 12th of August, 1882?—A. Was that the time that the primary meetings were held?

Q. Yes.—A. I think I was at the White Sulphur, or somewhere out of the county.

Q. Then, although your name appears to the call you referred to, it

was not your act; you were not there to sign it?—A. I do not know that my name appears to any call.

Q. Oh, yes; you produced a call?—A. No; it was signed by J. R. Whitehead—the call was. He was chairman of the committee.

Q. Well, I understood you to say that you concurred in that call?—A. I say I was probably at the meeting at which the committee determined the time and places, and apportioned the representation.

Q. What time did you go to White Sulphur, and how long did you stay?—A. I could not say that. I was there in August, and I think I staid there two weeks. I mentioned that fact. I was at White Sulphur when Mr. Sims's letter or card to Judge Holston came out.

Q. Had the straightout Republicans any candidate in Pittsylvania?—A. No, sir.

Q. No candidate for office there?—A. No, sir; I do not think there are five Straightouts in the county that I know of.

Q. Did they not hold any meetings in that county?—A. Not that I heard of.

Q. Do you know of their holding meetings anywhere?—A. I just saw accounts in the newspapers of their holding meetings down in the eastern part of Virginia.

Q. Did you not attend any of their meetings?—A. No, sir; I do not think I heard of any meetings, except by John Callahan, General Wickham, and John Dezendorf.

Q. Do you belong to any club?—A. No, sir; we did not organize any clubs.

Q. Did you have any meetings that were exclusive—secret meetings?—A. Of our party?

Q. Yes.—A. None, probably; except the committees.

Q. You did not have any general meetings at which the public were excluded?—A. No, sir; not that I know of.

Q. Did your committees hold such meetings?—A. I suppose so.

Q. Were you a member of the committee?—A. I was a member of the county committee until I was a member of the legislature, and then I retired and somebody else was elected.

Q. How long have you been prominent in the politics of Pittsylvania?—A. I do not know that I am especially prominent. I commenced practicing law in Pittsylvania in 1878. I was elected to the legislature in 1881.

Q. How many times is all I want.—A. Twice.

Q. Well, you have taken an active part in politics?—A. Yes; I have been active as a precinct worker.

Q. Was there any arrangement between you and the county club, a year ago last fall, by which you paid after the election into the treasury money for tax receipts which were issued by the clerk to Democratic voters before the election to enable them to vote?—A. Well—

Q. Now, I want a direct answer to that question.—A. Well, I am bound to explain my answer.

Q. First give me your answer and then you may.—A. Well, qualifiedly, I would say yes.

Q. Yes.—A. I say that before the election, as treasurer of the committee to which I have alluded, I deposited with the clerk a certain amount of money, and directed him that when I would appear to ask for receipts, or told anybody to appear and ask for them, that he was to issue these receipts, and then he would charge up the amount issued against this fund that I had deposited with him.

Q. How much did you furnish for that purpose?—A. I could not tell.

I suppose the whole number was probably \$250. I can find out by looking in this deposition in the Massey and Wise contest. Towards the latter part of the canvass, however, I was away from Chatham. I went off in the canvass with Colonel Cabell, and I told the clerk to issue these receipts, and of course I would be responsible for them from money deposited there; and when I returned I found, when we settled up, that I owed him some money.

Q. That was after the election?—A. Yes, sir; that was after the election.

Q. Do you remember the amount?—A. I think I stated in my deposition in that case it was some sixty-odd dollars; it may be more, and may be less. I do not remember. If you will look at that deposition you will see.

Q. The tickets were issued, then, without any money being paid?—A. Well—

Q. That admits now of a direct answer?—A. Yes; I understood that the clerk understood when he issued a ticket he charged himself up with so much money.

Q. That does not make any difference; they were issued without any money being paid?—A. Without any money being paid by us at the time.

Q. And you paid it after the election?—A. Yes, sir.

Q. Now, was not one reason assigned for refusing a joint discussion a purpose on the part of your folks to draw the color line?—A. Well, I do not think that was assigned as a reason.

Q. Was it not a reason?—A. I think the fact that these separate meetings, as they were called, were held would demonstrate and show the character of the two parties, from the very fact that you have, for instance, a negro speaking there at Chatham, and the parties themselves had separate meetings. They would have separate meetings themselves, and would ask us to have joint discussions, and we would say, here is one party, there is another; you can choose between them.

Q. Well, one object was to choose the character of your meetings?—A. Yes, sir; and, as I stated Saturday, we did not see any good by letting them talk to our people if we could not talk to theirs.

Q. Did you not desire that your people should not hear their speeches?—A. Well, yes; of course, we did not want our people changed. They were already with us.

Q. The voters to whom I referred, whose tickets were issued and who voted, were Democrats, were they not?—A. I suppose so.

Q. And they never paid anything?—A. Oh, well, some of them paid money.

Q. Generally they did not; the money was furnished by your committee?—A. Yes, sir; this fund that I allude to.

Q. Furnished by the committee or yourself individually?—A. Furnished by the committee and by subscription. I subscribed, and everybody subscribed. My deposition, which was given in the Wise-Massey case, was given when the facts were fresher in my memory, and will explain more at length and more fully the whole circumstance.

By Mr. VANCE:

Q. You say one reason for not wanting your folks to hear their speeches was because theirs did not come up to hear yours?—A. I say that one reason why we refused to divide time with them in the county canvass was that we had been treated that way two years before, when a colored man named Pleasants was a candidate before me in the legislature.

Q. Yes; you explained that in your examination-in-chief. Now, I want to understand something about this deposit to pay delinquent taxes. Who did you deposit that with?—A. The county clerk.

Q. Was he the proper person to receive the money?—A. Yes, sir.

Q. And you authorized him to issue tax-receipts to the delinquents and retain the funds out of that money?—A. Yes, sir.

Q. When the election was over it was found that he had issued some more receipts than the money was equal to and made it good?—A. Yes, sir; I made several deposits with him. Here is the way it began: I went to him and said, "I want a tax-receipt for John Smith and John Jones and John Brown, if their names appear upon the delinquent list." Well, he would issue them. I would say, "Here is \$3.15 for these; and here is \$25 more, so that if anybody wants these receipts, and I am not here, you can issue them. If I should not want them, I will not have to be bringing money here every time." I was away canvassing with Colonel Cabell.

Q. Now, was there a single solitary receipt issued for which the clerk did not get the money eventually, so far as you know?—A. Oh, of course not. But I desire to state just now that the clerk, under the law, is required, I think, to settle up with the State of Virginia once or twice every year, and he keeps an account with the State; and when he gets a receipt, whether he gets the money or not, he charges himself with \$1.05 on account of the tax; and whether he got the money from anybody else or not, of course he had to account to the State for that tax-receipt issued.

Q. Now, what check was there upon the dishonesty—upon that kind of transaction? Suppose the clerk had not charged himself, was the receipt lifted at the polls so as to be a check upon the clerk?—A. Not except in a very few cases. There was no check upon the clerk that I know of.

Q. Was there not a delinquent list filed with the clerk by the sheriff?—A. A delinquent list was filed with the clerk, and it was from that he issued the receipt. He could not issue a receipt unless he had a man on the delinquent list.

Q. Well, if that delinquent went and voted, and the clerk did not charge himself with it, the delinquent list and poll-list would show that there was something wrong?—A. Yes, sir; these two lists would, if anybody took the trouble to examine them.

By Mr. LAPHAM:

Q. Well, none of the money you deposited or paid was ever refunded to you?—A. Oh, no, sir.

By Mr. VANCE:

Q. Have you got possession of a letter from Mr. Sims, published in the Chatham Tribune about the time that he became a Coalitionist?—A. I have been shown a letter here published by Colonel Sims, which I suppose is the one you allude to.

Q. Is that the one we already have in evidence? To whom is that addressed?—A. That is addressed to his friends of the Congressional district, I believe.

Q. Where did you see that published?—A. I saw it published in the Pittsylvania Tribune, published at Chatham.

Q. Do you recollect the date?—A. It was in the canvass of 1880.

Mr. VANCE. In connection with Mr. Sims's denial that he ever was a Democrat, we offer this letter.

Mr. LAPHAM. Was his attention called to the letter in his examination?

Mr. VANCE. No; we did not have it.

Mr. LAPHAM. Then I object to it.

Mr. VANCE. He said broadly that he had never been a Democrat, and there is a declaration of his upon that subject that we offer as evidence. You certainly cannot object to that.

Mr. LAPHAM. Oh, certainly I do.

Mr. VANCE. Well, I insist on its going in.

Mr. LAPHAM. Do I understand that he was claiming that he testified that he never was a Democrat?

Mr. VANCE. Yes.

Mr. LAPHAM. I think you must have been mistaken.

Mr. VANCE. Well, if I am mistaken it will not hurt anything; it will only redound to Mr. Sims's credit and not to mine.

Mr. LAPHAM. It was four years ago.

Mr. VANCE. Well, that is not so long as "never."

Mr. LAPHAM. Well, I object to it as inadmissible; for it is not proved to start with.

Mr. VANCE. It is proved according to the method we have adopted of proving papers here. Here is the answer of Mr. Sims: "I never was a candidate in my life."

Mr. LAPHAM. Well, this letter shows that he was not a candidate.

Mr. VANCE. Well, let the letter go in, it will not hurt.

Mr. LAPHAM. I do not want to incumber the record with such matters. I object to it, and I want the ground of my objection to putting it in noted.

Mr. VANCE. Certainly.

By Mr. LAPHAM:

Q. You do not know that Mr. Sims ever wrote that letter, do you?—

A. I only know that I saw it in a newspaper.

Mr. LAPHAM. And Mr. Sims's attention was not called to it on his examination. Now I object to introducing it.

Mr. VANCE. Why, we have proved the contents of documents here that never existed; at least nobody ever saw them on the face of the earth, except the witness.

Mr. LAPHAM. Well, we are dealing with this one now.

Mr. VANCE. I want fair dealing. I want the same measure dealt out to my witnesses that has been given to others.

Mr. LAPHAM. I have no desire to trench upon your privileges; but it is my right to make an objection to an item of evidence when you offer it.

Mr. VANCE. Of course; and it is my right to call attention that you object to precisely what you did yourself with dozens of extracts.

Mr. LAPHAM. Then my objection hurts me, and not you.

Mr. VANCE. I hope it will have that effect. (To the witness:) Read the letter. You have been asked if you saw that paper, and you say you saw it published.

The WITNESS. In the Pittsylvania Tribune.

Q. Now I want you to read it so that the reporter can take it down.

By Mr. LAPHAM:

Q. What were the politics of that paper?—A. Democratic.

Mr. LAPHAM. Then I object to it on that ground. They are not evidence, of course.

The witness read as follows :

To my friends in the fifth district: I have promised many of you that my name will be presented to the Democratic Congressional convention which meets at Rocky Mount on the 12th of August next, and have relied confidently upon your support, as you have upon my promise. You will, therefore, be surprised at my announcement that I now retire from the field. I assure you it required more courage to face you with this card, after all your kindness to me, than it would to run the race through, even if defeated. Personal defeat has no terrors for me; but I do dread disaster to our party.

The extreme Readjusters will put forward a candidate, the Republicans probably another, and there is serious talk of an independent ticket. At this juncture of affairs there must be no division in our ranks and heart-burning between Colonel Cabell's friends and mine. With these views I must withdraw my name and urge you to allow no preferences of yours to prevent your doing what I shall certainly do, labor with love and enthusiasm for the national Democratic ticket and for the nominee of the Democratic convention of the district, whoever he may be.

W. E. SIMS.

By Mr. LAPHAM:

Q. Who was the candidate at that time?—A. Who were the candidates for the nomination?

Q. In whose behalf is that letter of withdrawal? Who took the nomination?—A. Col. George C. Cabell.

Q. He did that, then, in the interest of promoting the election of Colonel Cabell?—A. I think in the interest of harmony in the party. Colonel Cabell had not been nominated.

Q. He was afterwards nominated?—A. Yes, sir.

Q. And Colonel Cabell was then as now a Democrat?—A. Yes, sir.

Q. Sims at that time, four years ago, was in the councils of the Democratic party, was he not?—A. Yes, sir.

Q. An influential man in that party, was he not?—A. Well, that would be only a kind of opinion. I have no doubt that he was.

Q. Well, I ask you your opinion?—A. I do not think he was a very influential man in the party, though he was quite prominent.

Q. Well, he stood differently then with your party, from what he has since he left it?—A. Oh, yes.

J. D. BLAIR sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. In Danville.

Q. What is your business there?—A. I am a member of the firm of Ruffin, Blair & Dance, insurance and real estate; have been engaged in the tobacco business there.

Q. Were you and are you a member of the city council of Danville?—A. Yes, sir; I am.

Q. You are now?—A. Yes, sir.

Q. When were you elected first?—A. In May, 1882, and I went into office the first of July, 1882.

Q. What was the composition of the council when you went in?—A. The composition of the council was five men whom I considered Democrats, four colored men, and three white Readjusters or Coalitionists. That was the composition, as I understand it. It is due to myself and to the gentlemen whom I class as Democrats—Mr Beckner—to state that I believe both parties claimed him. I believe he was nominated by both parties; I think the Coalitionists laid claim to him all the time up the last election, and I think the Democrats claimed him. He was not much of a party man.

Q. Well, who were the police officers elected?—A. The police officers were elected by the council shortly after its organization in July, 1882.

Q. Who was elected chief of the police?—A. A man by the name of Cox, a Coalitionist, a white man.

Q. Were any colored men placed on the regular force?—A. One colored man was placed on the regular force at that election.

Q. How many of the police force were Democrats?—A. It would be very hard to say; they were not prominent men at all and generally men who claimed to be to some extent non-partisan or not partisan—concealed their political proclivities. It was admitted that the council was in sympathy with Coalition entirely and carried it for police officers. As a general thing even if they were Democrats they did not admit it, and they were very often claimed by both parties. I see that Colonel Raulston, whom I acknowledged as a leader of the Coalition party, places four of them as Coalitionists.

Q. Who was the leading man of the Coalitionists in that council?—A. I regarded Colonel Raulston.

Q. Two of the council that were with him in that council were in his employ, were they not?—A. They became in his employ after their election. I don't think he was collector at the time he was elected. I think he was probably a deputy collector, I am not sure, but when he became collector in place of Mr. Fernold, two of the negro members of the council were in his employ.

Q. Who was the clerk of the market elected by that council?—A. A negro man by the name of Benton Fields.

Q. Did he have police powers?—A. Yes, sir.

Q. Who was made the sanitary policeman?—A. A negro man named Squire Tallaifaro.

Q. We are acquainted with him officially. He has been before us. Did he have police powers also?—A. He is termed in our ordinance "sanitary policeman"; his duty is to report to the city physician, and to carry out his instructions as a policeman, to notify all persons who violate the orders of the city physician, and to have them reported as a police officer to the authorities if they did not cease the violations, with full powers of policeman in that regard, assigned to do duty under the city physician.

Q. Did that officer, sanitary policeman, go around himself and carry off dead cats and things of that sort?—A. I think not, sir; he did not; it was not his duty; the city carts carried off those.

Q. How many magistrates did you elect?—A. There were three magistrates elected at that time.

Q. Who were they, and what was their politics?—A. I understood all of them to be Coalitionists; one was Wesley H. Jones, a colored Coalitionist, another W. P. Robinson, who I had always understood to be a Readjuster, and another a young man by the name of Luck, who I understood to be a Coalitionist—the Coalitionist nominee.

Q. Who was elected mayor by the council?—A. John W. Johnston. The mayor was not elected by the council; the mayor was elected by the voters.

Q. What were his politics?—A. His politics are rather indefinable. He ran as an independent candidate, and was indorsed by the Coalition convention. They nominated him; I think the understanding was that he was to support the nominee of that convention.

Q. Well, that organization of the city which you have given, placed it under the control of the Coalition party, did it not?—A. Yes, sir.

Q. And the leading man in these authorities was Colonel Raulston, of the custom-house, you say?—A. Yes, sir.

Q. Now, he was the leading man; he virtually controlled the council?—

A. Well, at times it was controlled by different men. Colonel Raulston tried at all times to control it through party influences. At times he did not succeed in doing so. We beat him, but finally by July, 1883, he controlled it absolutely. He tried absolute control in the organization but failed.

Q. Now, there is an expression in the Danville circular, "that the town by its organization was virtually placed under the control of the slaves of the Federal Government," and so on. Laying aside that figure of rhetoric in calling the Government officers the "slaves of the Federal Government," was that statement substantially true?

Mr. LAPHAM. I object to that. It is not a matter for his opinion.

Mr. VANCE. Make your objection. I reckon you will not stop me from putting the question asking if an allegation in the Danville circular is true.

Mr. LAPHAM. That is a very different thing. You are not pointing to the circular at all.

Mr. VANCE. You did not hear, you——

Mr. LAPHAM. I say the question does not point to the circular at all.

Mr. VANCE. I asked him if that expression in the circular, leaving out the figure of rhetoric in calling the Government officers the slaves of the Federal Government, was substantially true. That is my question.

The WITNESS. Am I permitted to answer?

Mr. VANCE. Wait a moment.

Mr. LAPHAM. He has given the facts. I object to his giving an opinion. It is a mere opinion you ask now.

Mr. VANCE. Well, you have asked at least a dozen witnesses the question.

Mr. LAPHAM. I have not examined any witnesses as to that circular myself.

Mr. VANCE. Sims said it was not true; Judge Blackwell said it was not true; Johnston said it was not true; Raulston said it was not true.

Mr. LAPHAM. Well, they gave the facts.

Mr. VANCE. Well, this witness is giving the facts as much as they did.

Mr. LAPHAM. Well, the reporter will note my objection.

By Mr. VANCE:

Q. Answer the question now, Mr. Blair.—A. In July, 1883, that allegation was substantially true. By that time Colonel Raulston had obtained such control of the council that he could carry through it any measure he desired.

Q. Now, at what time was the circular written?—A. The circular was written a short time prior to the election. I don't remember exactly what time, but it was written after the canvass actually commenced, and after July.

Q. Was the circular substantially true when it was written; at the date of its writing?—A. Substantially it was. There may have been some errors in detail——

Q. Well, I meant to say in that respect that we have been talking about.

Mr. LAPHAM. Well, let him finish his answer.

The WITNESS. I say it was substantially true in detail. There may have been some errors, but they were substantially true, amounting to the same thing.

By Mr. VANCE:

Q. Now, in this condition of things, the control the town was under, the number of negro officials in the affairs of the city, what effect did it have upon the conduct of the black people?—A. I thought it made them insulting, to have a false conception of the administration of the law; that the majority of the colored people thought that in a question between a colored man and a white man before a negro, or before a Coalitionist, that preference would be shown to the negro. I say that of the majority of the colored people, so far as my observation extends—of course I never heard a majority say so, but the tendency of things seemed to be that way in trials before these people—that they had a great advantage over the white people.

Q. That is the long and the short of it, that they thought they had the upper hand in the whole matter?—A. Yes, sir.

Q. Well, did it affect their conduct; you say it made them more insulting?—A. My observation was that it did make them more insulting and self-asserting.

Q. Did you resign your position on the board?—A. Yes, sir; I resigned as president of the council. I have never resigned as a member of it. I resigned in July, 1883, at a regular meeting of the council, about midnight.

Q. Why did you resign?

Mr. LAPHAM. I object to that. His reasons for the act are wholly inadmissible.

Mr. VANCE. Well, note the objection. Go on and state why you resigned.

A. I resigned for the reason that I thought the acts of the council were wrong to the citizens of Danville. I was in the minority, and was helpless to do the people I represented any good. When I was elected I had some influence even over some Coalitionists and some colored men, but the result of the July election, 1883, for councilmen showed me that I had nobody on the floor to stand by me. The Coalitionists were eight strong, and in the organization of the police force they placed more negroes on and turned out all men who claimed to be Democrats. If there were any Democrats who remained they kept it to themselves in order to keep on good terms. If they were Democrats the other side thought they were getting them. I had only three members on the floor who would stand by me, and I did not see that I could do any good in the chair with no influence with two-thirds of the council. I believe the acts of the council in the reorganization, and many acts up to that time, but especially the act of reorganizing the police and placing upon it more negroes, and in turning out two of the best policemen on it, who had long been on the force, the only two that I knew to be Democrats, or would claim openly to be Democrats, was a great wrong, would work injury, bring bad results, and I preferred to be upon the floor where I had a right to speak and to oppose these measures openly.

Q. Did you hear Mr. Sims on Friday night, the 2d of November?—

A. I heard a portion of his speech.

Q. Did you observe that night, or the next day, any apparent effect upon the colored people from that speech?—A. That night the colored people were cheering him very lustily and applauding all he said. When I came on the street next morning, all the colored men I saw seemed very much excited, and it seemed to be a general state of excitement.

Q. Were there many on the street?—A. Much more than usual for morning hours, and all the colored men that I saw, I saw them about in knots, appeared to be very much excited; they seemed to be excited in this manner that night that they applauded very loudly his denunciation of our people.

Q. Did you attend the meeting called at the opera house next day?—A. Yes, sir.

Q. What was the object of that meeting?—A. The object of that meeting was to restore quiet as much as possible; to keep our side from any acts of violence, if possible. The signers of what was known as "Coalition Rule" were very much aggrieved. In order to explain that word I will have to refer to what occurred the night previous. When the Richmond Whig came out on Friday night it contained telegrams and letters taken from a paper in the valley, I think of which Mr. Becket is editor, a contradiction by Judge Blackwell as false of this "Coalition Rule" which had been signed.

Q. That paper contained it?—A. That paper, and it contained also a statement from Mayor Johnston saying substantially that it was untrue. I was sent for that night by some of the signers of "Coalition Rule" to see what could be done in the premises; they were very much outraged at the contradiction and felt that something ought to be done, and it was agreed that night that instead of telegraphing about it, the best thing to be done was to see whether or not the respectable citizens of Danville would indorse this circular as substantially true. I left the conference late in the night with the understanding that we must have no acts of violence, that we must proceed peaceably, and that we would get together the citizens and see whether they sustained the signers, or whether they sustained the Coalition judge and mayor. In the morning hour up to about 1 o'clock we were agreeing on a set of resolutions to be passed, no speaking to be allowed, no excitement; we were to meet and pass resolutions stating that the facts set forth in "Coalition Rule" were substantially true, the statement of Judge Blackwell and Mayor Johnston to the contrary notwithstanding; to condemn and denounce as incendiary and inflammatory the speech of Colonel Simms the preceding night and let this matter stop right there.

Q. Was the meeting held in pursuance of that understanding?—A. Yes, sir; the meeting was held about half past 2 o'clock in pursuance of that understanding.

Q. Do I understand you correctly to say that that was also in the interests of peace?—A. It was strictly in the interests of peace.

Q. You thought by having the citizens adopt this, it would quiet those who felt themselves aggrieved about it?—A. Yes, sir; quiet those who felt aggrieved about it, quiet their friends, and people of Danville whom they thought knew much more about it than these people, and whom they thought understood it, to say whether or not the signers stated the truth, or the Coalition judge and Coalition mayor stated the truth.

Q. What kind of a meeting was it?—A. It was a very large meeting.

Q. Was it a fairly representative meeting of your people?—A. Yes, sir; the most representative meeting I ever saw.

Q. Well, I suppose you heard of the riot on the street while you were in the opera house; I don't believe I care to go into that.—A. I heard of it; I heard firing while I was in the opera house.

Q. You were not out on the street where it took place?—A. No, sir; when I came out the firing was about over.

Q. Were you a member of what was then Ruffin, Woolfolk & Blair?—A. Yes, sir.

Q. Your place of business is right in front of where the riot took place?—A. Yes, sir.

Q. At what hour were you in your office last before this meeting?—

A. I had been in my office all morning, from early in the morning, I think, prior to 8 o'clock, and certainly not later than 8 o'clock up to 1. At 1 o'clock I went to my residence to get dinner and returned immediately to my office, and went immediately from my office to the opera house.

Q. What time was it when you came from your dinner to your office?—A. Half past 1 or fifteen minutes to 2.

Q. Now, were there any arms deposited in your house there?—A. There were no arms deposited in my house except a gun left there by one of our friends, Dr. Robinson; he came down street for some purpose and had his hunting gun with him, I presume, and put it in the office.

Q. There was no box of pistols?—A. None, whatever.

Q. Or box of cartridges, or anything of that sort?—A. None, whatever; I was in my back-yard frequently; and as it was a central point a good many of our citizens were in my office all day long; I did not know anything about Dr. Robinson's gun being there at the time.

Q. Do you know anything about men bringing guns into your office and loading them and so forth?—A. No such thing at all, because I was in my office all day with Colonel Cabell and other prominent members of our party, counseling peace and did not have a pistol about me of any kind.

Q. What kind of order did you have on the day of election?—A. We had a very quiet election; order was preserved, no demonstrations of any kind; as good order as I ever saw anywhere at any election.

Q. Well, the preparations for preserving order have all been described here. I will not ask you to go over that again. I will ask you if you think it was sufficient to have given the colored people the full free right to vote if they had desired it?—A. Ample and sufficient.

Q. And nobody would have interfered with it?—A. Nobody would have interfered with it.

By Mr. LAPHAM:

Q. Did you have any conversation with Mr. Raulston about the course he was pursuing, and did he say anything to you why he pursued it in the city government?—A. Yes, sir.

Q. What was that conversation?—A. I resigned July, 1883, at the July meeting of the council. My resignation was not accepted, and I believe on his motion it was postponed. I had some occasion to see him with reference to something in the city government, I do not remember what, and he entered into a conversation with me about it. He claimed that he came into the council in July, 1883, at the reorganization of the officers elected by the council, with his full party strength, the only time he had ever been able to enter the chamber fully organized; that he was eight strong, and knew it, and that the election of the police officers was for political reasons; that he had no objection—I recollect distinctly his saying he had no objection—to Morris's getting a place, but he had no place for him; that inasmuch as a majority of the council was in accord with the Coalition party that they were entitled where they had men who could fill the offices to have them, and that in voting for police officers especially he carried out that, and voted that way to build up

his party in the State of Virginia and asked me to withdraw my resignation.

Q. Have you read the testimony of Mr. Johnston?—A. Yes, sir.

Q. Is there anything else you desire to refer to?—A. Well, I cannot remember; Mr. Johnston makes some mistakes in his testimony. I read it last night and I noted some matters. I do not know that they are important.

Q. When were you first elected to the council?—A. In 1882—no, I had been a councilman prior to that time.

Q. When the Democrats had control?—A. Yes, sir.

Q. When the Democrats had control did they appoint any Coalitionist on the police?—A. Not that I know of.

Q. They were all Democrats, were they not?—A. I think as a general thing they were, though I do not know as I could tell you the politics of all the policemen we elected the first time.

Q. They were understood to be Democrats?—A. As a general thing I think they were, but I think there were some Coalitionists in the crowd.

Q. Now, at the election in May, 1882, Mr. Johnston was chosen mayor?—A. Yes, sir.

Q. Did not both parties vote for him?—A. To some extent they did.

Q. He ran as an Independent, did he not?—A. I thought he ran as the nominee of the Coalition party and Independent candidate, indorsed by them.

Q. Well, he started as an Independent candidate?—A. Yes, sir.

Q. Did the Democrats have a candidate?—A. Yes, sir.

Q. Who?—A. Mr. Ayres.

Q. How many votes did he get?—A. I do not remember. Johnston beat him.

Q. Well, Johnston got the bulk of the votes, did he not?—A. Not of the white votes.

Q. He did not?—A. I don't think he did. He got, I suppose, nearly all of the negro vote, and got a good many white votes, but did not get the bulk of them.

Q. Did he not get a good many white votes?—A. I think he got some; how many I do not know. I think he got a portion of them.

Q. Who was elected sergeant?—A. James Wood.

Q. Was he not on both tickets?—A. I think they did not put anybody against Mr. Wood.

Q. He was elected, then, as an Independent?—A. He was elected as an Independent Republican.

Q. A straightout Republican, as they call it? Well, his office was the same as office of sheriff, was it not?—A. I cannot say sure about that, whether the sergeant's election came off at that time or not.

Q. Oh, you are right about that; I am speaking of the May election, 1882.—A. I think likely he was elected at that election.

Q. I say, his office corresponded with that of sheriff?—A. Yes, sir.

Q. The most important, influential office there, was it not?—A. An office of considerable influence.

Q. Who was elected clerk?—A. Col. William Rison.

Q. He was a Democrat?—A. Yes, sir.

Q. Who was elected attorney for the Commonwealth?—A. Mr. Hamlin.

Q. He was a Democrat?—A. Well, I believe Mr. Hamlin says he is a Democrat.

Q. Who was elected commissioner of revenue?—A. Mr. Boisseau.

Q. Well, he was an Independent, was he not?—A. Yes sir.

Q. Who was elected treasurer?—A. Mr. Jones.

Q. He was a Democrat, was he not?—A. Yes, sir. I desire to correct there in regard to Mr. Hamlin. Mr. Hamlin was not the nominee of the Democratic party, he was the nominee of the Coalition party, and the Democratic party ran a man against him.

Q. Well, he had Democratic support, had he not?—A. I suppose he had some, not a great deal.

Q. Well, he was a Democrat in politics, was he not?—A. Well, sir, about that time politics got considerably mixed.

Q. But he had been up to that time?—A. He had been up to that time; he claimed he had been.

Q. Well, I will take that answer, then. Mr. Luck was chosen as justice of the peace?—A. Yes, sir.

Q. He was a Coalitionist?—A. Yes, sir.

Q. Wesley Jones was chosen as justice of the peace?—A. Yes, sir.

Q. He was a Coalitionist?—A. Yes, sir.

Q. W. P. Robinson was elected justice of the peace?—A. Yes, sir.

Q. He was a Democrat, was he not?—A. I think not, sir.

Q. Had been up to that time, had he not?—A. I think I have heard him say that he has been a Readjuster ever since readjustment commenced in Virginia, and I think he went off with the Readjusters in the first campaign.

Q. Well, Luck had been removed before this circular was issued, had he not?—A. Yes, sir.

Q. And a Democrat appointed in his place?—A. Yes, sir.

Q. And Robinson had been removed?—A. Robinson had resigned.

Q. And a Democrat appointed in his place?—A. Yes, sir.

Q. So that at the time this circular was written the only Coalitionist who was a justice of the peace was Wesley Jones?—A. Yes, sir.

Q. The other two were Democrats?—A. Yes, sir.

Q. All the persons I have named thus far were white persons, except Jones?—A. Yes, sir.

Q. You were elected as a member of the council?—A. Yes, sir.

Q. Mr. Gerst?—A. Yes, sir.

Q. Mr. Guarrent?—A. Yes, sir.

Q. T. N. Jordan?—A. Yes, sir.

Q. They were Democrats?—A. Yes, sir.

Q. Mr. Arrington was elected?—A. Yes, sir.

Q. He was an Independent, was he not?—A. I regard him as a Coalitionist, strong Readjuster.

Q. You regarded him as a Coalitionist?—A. Yes, sir; heard him say he was frequently.

Q. Was he not put up as an Independent candidate?—A. I think not. He was the nominee of the Coalition party; has been with the Readjuster men ever since I knew anything about it.

Q. Well, was not Mr. Beckner an Independent?—A. He was nominated, I think, by both parties; both parties claimed him, I think, at the time he was elected. He had more tendency towards the Democracy than the other way.

Q. John S. Robertson?—A. He was what you call a Readjuster Democrat; when there got to be Coalitionists, he was a Coalitionist.

Q. Mr. Raulston was a Coalitionist?—A. Yes, sir.

Q. Mr. Batts, colored, was a Coalitionist?—A. Yes, sir.

Q. And Mr. Lipscombe was a Coalitionist?—A. Yes, sir.

Q. The entire council was composed of eight white men, four of whom

were out-spoken Democrats, was it not?—A. Yes, sir; five were regarded as Democrats at the time they organized.

Q. Three had been known as Independents?—A. Three had been known as Coalitionists.

Q. Well, had they not been known as Independents?—A. I did not know them as Independents. In that election they had been voting with what was——

Q. Well, eight of the council were white men and four colored?—A. Yes, sir.

Q. Was not one or more of the Democrats elected on the Coalition ticket also?—A. Yes, sir.

Q. When the council organized you were chosen as president?—A. Yes, sir.

Q. That gave you the power to appoint all the committees, did it not?—A. Yes, sir.

Q. Mr. Gerst was the president *pro tempore*?—A. Yes, sir.

Q. The city physician was Mr. Irving?—A. Yes, sir.

Q. He was a Democrat?—A. Yes, sir.

Q. Mr. Ballou was city engineer?—A. Yes, sir.

Q. He was a Democrat?—A. Yes, sir.

Q. Mr. Blackwell, city attorney; he was a Coalitionist?—A. Yes, sir.

Q. He was succeeded by a Democrat, Mr. Peatross?—A. Yes, sir.

Q. And Peatross became attorney before this circular was issued?—A. Yes, sir.

Q. Watson, the clerk of the gas and water committee, was a Democrat, was he not?—A. Yes, sir.

Q. Now, who constituted the police force; what was the date of the issue of this circular?—A. I could not give you the precise date it was issued; some time prior to the election.

Q. Well, about what time?—A. Well, sir——

Q. It was after the removal of the two justices and Democrats appointed in their places, was it not?—A. Yes, sir—I don't know; I suppose some two or three weeks before the election. It was ordered to be issued early in the canvass.

Q. Oh, I did not ask that now.

Mr. VANCE. Let him finish his reply.

The WITNESS. I was telling you in order to get at the time.

Mr. LAPHAM. I did not ask when it was ordered to be issued; that does not amount to anything, and you cannot defend the circular upon any such theory as that.

Mr. VANCE. Well, upon the point that the circular was not issued until late in the canvass—that is competent testimony.

Mr. LAPHAM. No; I think not.

Mr. VANCE. Well, I do.

By Mr. LAPHAM:

Q. Who ordered it to be issued? I will follow it up.—A. The Third ward club.

Q. Who ordered that circular to be issued?—A. The Third ward club.

Q. How did they order it?—A. Ordered it by resolution.

Q. Have you got the resolution?—A. I have not.

Q. Can you get it?—A. I suppose it is in Danville; the clerk has it. I was present at the time it was offered.

Q. Who offered it?—A. It was offered by Judge Green.

Q. Was it agreed to unanimously?—A. It was,

Q. When was that meeting?—A. That was at the first club meeting ever held in the Third ward in the town of Danville.

Q. I did not ask that; I asked when it was.—A. I cannot give you the precise date; the record will show. It was very early in the canvass, but I cannot give you the day of the month or the day of the week. It was the commencement of the canvass.

Q. It took a great while, then, to get it out?—A. Yes, sir; Judge Green was sick, and it was delayed two or three weeks on that account.

Q. Who drew it?—A. I do not precisely know who drew it. I can tell you what I know. I know——

Q. Oh, no; if you do not know.—A. I know who the committee was to draft it.

Q. No, I do not ask that; I ask you who drew it, and you say you do not know.—A. I don't know within my knowledge. I heard who drew it.

Q. At the time this circular was issued how many constituted the police force—how many members were there of the police force in October, 1883, when this circular was issued?—A. There were nine members of the regular force, and two men with police duties besides.

Q. I am speaking of the police force.—A. Well, sir, that is what I regard as the police force.

Q. Now, were not four of those Democrats?—A. Well, sir, it is hard to say; they would not admit they were Democrats at the time.

Q. Well, there was not but one colored man in the nine, was there?—A. Yes, sir; there was.

Q. There was?—A. Two.

Q. Who on the police force?—A. A man by the name of Adams and a man by the name of Withers.

Q. When were they appointed?—A. They were appointed in July, 1883.

Q. When you were president of the board?—A. Yes, sir.

Q. Did you concur in their appointment?—A. I did not; I resigned on account of it.

Q. That is the reason you resigned, then?—A. Yes, sir.

Q. Because one additional colored man was appointed on the police force?—A. And all of the Democrats turned out, and all of the best of the force turned out.

Q. We have had all that. It was because a colored man was appointed a policeman that you resigned?—A. In connection with the fact that the best members of the force were turned out.

Q. What Democrats were removed?—A. Morrison and Lowry.

Q. Then you resigned because he was removed and the colored man appointed in his stead?—A. Yes, sir; they were removed, two of them.

Q. That was after this circular was issued, was it not?—A. That I resigned?

Q. Yes.—A. No, sir.

Q. Then this club ordered this circular to be issued before you resigned?—A. No, sir; it did not; I resigned before that; I resigned in July, 1883.

Q. Very well; had you not a club meeting before that?—A. No, sir. The club meeting, I think, was in September.

Q. You just said you could not tell when it was.—A. I said I could not tell you the particular date.

Q. I did not ask the particular date.—A. It was either the latter part of September or the first of October. I do not remember the particular date.

Q. Now, we are getting down somewhere near it. Who was the keeper of the cemetery?—A. There were two keepers of the cemetery.

Q. No, the white cemetery?—A. I think a man by the name of McCormick.

Q. Who was the constable?—A. P. H. Boisseau.

Q. He was a Democrat, was he not?—A. Yes, sir.

Q. Now, how many of the municipal officers at the time this circular was issued were white men?—A. Well, it would require a calculation to tell you; I believe there were forty-four officers.

Q. Yes, forty-four; that is right. I will call your attention: Mr. Raulston says thirty-five of them are white and nine colored. Is that not correct?—A. I don't know whether it is or not; I will see.

Q. Well, we will give you time to figure.—A. I think that is correct.

Q. The most obnoxious men were two justices, were they not?—A. There was one colored justice very obnoxious.

Q. Was he?—A. Yes, sir.

Q. Why you differ with the other witnesses then about that. The general testimony has been that he was thought the best of the three?

Mr. VANCE. Well, that might be true and be very obnoxious besides.

By Mr. LAPHAM:

Q. Was there any request to have him removed?—A. I don't think there was.

Q. Don't you know that white people preferred to be tried before him?—A. Some may have done so. The others were white men and regarded as men of very disreputable character.

Q. But they had been removed and Democrats placed in their places?—A. When that was written they had; but prior to that time—

Q. No; I am speaking now of the condition of things when that circular was written.—A. The condition of things when that circular was written was, that there was not but one objectionable justice of the peace. That was the negro.

Q. Who was chairman of the finance committee?—A. Captain Gerst was chairman up to July, 1883.

Q. He was a Democrat?—A. Yes, sir; he was not chairman at the time that circular was written.

Q. Who was?—A. Mr. Arrington; I think he resigned soon after that.

Q. Who was chairman of the gas and water committee?—A. Mr. Guerrent.

Q. A Democrat?—A. Yes, sir.

Q. Who was chairman of the street committee, Mr. Jordan?—A. Yes, sir.

Q. Was he a Democrat?—A. Yes, sir.

Q. They were three of the most important committees, were they not?—A. Yes, sir.

Q. And all held by Democrats?—A. Yes, sir—no, sir; at the time the circular was written the chairman of the finance committee was a Coalitionist.

Q. Who was that?—A. R. A. Arrington.

Q. Well, he was a reputable man, was he not?—A. I don't know anything against Mr. Arrington's private character.

Q. Do you mean to have this committee understand that you would object to have a man come into that office simply because he was a

Coalitionist?—A. No, sir; but you asked me if they were not all Democrats, and I only answered your question.

Q. No; I asked you if these three officers, chairmen of the gas and water, and streets, and finance committees, were Democrats?—A. Yes, sir; two of them were Democrats and one a Coalitionist at that time.

Q. When was the Coalitionist appointed?—A. In July, 1883.

Q. By the council, of course?—A. By Colonel Raulston.

Q. He had the appointment, as president?—A. Yes, sir.

Q. Did not Colonel Raulston tell you he did not want to be president of the council?—A. Yes, sir. He said there was a time when he desired it, but he did not desire it then.

Q. Did you sign the circular yourself?—A. No, sir.

Q. Who signed your firm name?—A. I heard Mr. Ruffin say he signed. I was not in the city.

Q. Well, he has sworn he did not.—A. I think you are mistaken about that.

Q. Oh, no, I am not.—A. Mr. Ruffin or Mr. Woolfolk, one signed it. I was not in the city that day.

Q. Well, you say you heard Mr. Ruffin say he signed it?—A. I understood it; I do not remember particularly who signed it—some member of the firm.

Q. When did you sign the verification of it?—A. Which verification?

Q. Which was sworn to by members that signed it, the verification published in a handbill.—A. Yes; the firm name was signed, but I do not remember who signed it. I was present when it was signed. I do not remember particularly about that paper now; I would like to see that to refresh my memory.

Q. Now name any other improper act of legislation by the council except the removal of Democratic policemen and the appointment of colored man.—A. Financially, I don't know that there was anything to be seriously objected to.

Q. Now, the most important administrative part of that council is the financial part of your affairs, is it not?—A. Yes, sir.

Q. In that respect you have no cause for complaint?—A. Well, I could not say that, but I do not know that I have any more cause of complaint than I would have in other councils. In some cases I have differed with them.

Q. Of course, differences will arise in all bodies. When the Democrats had the council, all the appointees were Democrats, you say?—A. I said I didn't know so well about it.

Q. Well, you don't remember any but what were Democrats?—A. Well, it occurs to me that Mr. Cox was on the force at the time.

Q. You think some of those who staid on the police force, although Democrats, did not own it—kept still about it in order to remain on the police?—A. Yes, sir.

Q. Cheated a little?—A. Yes, sir.

Q. That is the way Democrats do there, is it?—A. That is the way some of them do. They said they were afraid the Coalitionists would turn them out.

Q. Now you spoke of seeing colored men on Saturday morning; was that about the time when Colonel Sims went out of town?—A. I don't know what time Colonel Sims went out of town.

Q. Was not there a gathering of white men, too, on the street up toward the Arlington?—A. I was not on the street. I came on down by the Arlington Hotel and went into my office, and was not out on the street.

Q. Don't you know there was a gathering of people there?—A. I know there was in front of my office, and a number of gentlemen in my office during the day consulting about the meeting.

Q. Now, that meeting at the opera house was a private meeting, was it not?—A. I do not so regard it.

Q. Were not the colored people excluded from it?—A. All Democrats were invited to attend.

Q. Were not colored men excluded?—A. I don't think there were any in it.

Q. Why cannot you answer my question?—A. Well, I cannot tell.

Q. Was there not direction to the guards not to admit colored people; was not that a fact?—A. I heard it was.

Q. Well, that answers.

Mr. VANCE. Well, he is not to give hearsay, I understood, unless it is in favor of the questioner.

By Mr. LAPHAM:

Q. How many white people were there?—A. There were a large number; I don't know the number, but I think it was as large as any I ever saw in Danville.

Q. You can tell something about the number?—A. Well, sir, we were in there a short time, and left under very exciting circumstances.

Q. Well, you can tell something about the number?—A. I think about four hundred.

Q. What is the seating capacity?—A. I don't know, but suppose it will seat four hundred or five hundred people.

Q. Were any of them armed?—A. Not that I know of.

Q. Were you armed?—A. I was not.

Q. You did not see any arms?—A. I did not see any arms in the room at all.

Q. Well, did you see any arms as they left the room?—A. I did not.

Q. Do you know why it was that joint discussions were refused in your county in that canvass?—A. I do not, only from what I have heard; not within my knowledge. I know what I have heard about it.

Q. Are you a member of the club?—A. Yes, sir.

Q. Did they have secret meetings?—A. They invited——

Q. Oh, answer my question now. Did they have secret meetings?—A. No, sir.

Q. Well, that answers.—A. They had meetings that they invited all the party to attend. They did not want any eavesdroppers.

Q. That is what I mean by secret meetings. They had meetings, I mean, that were not open to all?—A. They invited all persons who were opposed to the Coalition rule in Danville.

Q. How often did they hold them?—A. Once a week.

Q. When was the last one held before this circular was issued?—A. In the first place, I don't know the date of the circular.

Q. It has not any date, has it? It was issued *nunc pro tunc* when that resolution was adopted.—A. The meetings of the club commenced, I believe, in September, and they held a meeting every week up to the time of the election.

Q. Did not you arm yourself that day of the riot?—A. Yes, sir; I went home and armed myself.

Q. How soon after the meeting?—A. As soon as I came out of the hall.

Q. What did you get?—A. A pistol.

Q. And what kind of a pistol?—A. It was a navy revolver.

Q. Loaded?—A. Yes, sir.

Q. Did you go back on the ground that day?—A. No, sir.

Q. Did you shoot it?—A. No, sir.

Q. Didn't get any chance to shoot it?—A. No, sir; did not have any opportunity to shoot it.

Q. How long was the meeting in the opera house; you said it was a very brief meeting?—A. I don't know; under circumstances of such a nature it would be very hard to tell. I don't think it was in session over fifteen or twenty minutes.

Q. And during that time the circular was indorsed by the resolution, and the letters of Blackwell were denounced?—A. Yes, sir; it may have been thirty minutes. There was no speaking done at all.

Q. No, you agreed beforehand there should be no speaking. You did not even allow the five-minute rule there.—A. It was agreed that nothing should be said that would excite anybody.

Q. It was agreed that there should be no speaking, you said?—A. So as to create any feeling.

Q. Now, I want an answer to my question. Did you not say that it was agreed there should be no speaking?—A. Except on this resolution.

Q. Did you say that? Did you in your direct examination make any exception?—A. I don't know that. I will answer that they had agreed that there should be no general speaking at all.

Q. That is, you should not discuss anything but the object for which you met?—A. Yes, sir; that agreement was only binding this far: The principal men of the city met together and agreed upon the resolutions before they went there.

Q. Were you engaged all the forenoon getting them up?—A. Yes, sir.

Q. Who took part in that?—A. I did, Colonel Cabell, Mr. Schoolfield, and others.

Q. Who drew them?—A. I believe I drafted one which was afterwards corrected.

Q. Which one did you draw?—A. I don't remember. I think it is likely the one in regard to Colonel Sims's speech.

Q. Who drew the others?—A. Dr. Harvey drew one, and I think the resolutions were referred to somebody to compromise our views.

Q. A committee of conference was appointed?—A. No, sir; some gentlemen were appointed to harmonize it.

Q. Very well, but they all got into shape before you went to the opera house?—A. Yes, sir.

Q. Where were they finished?—A. I think the most of the writing was done right in my office; it was done there and in Colonel Cabell's office.

Q. Where was Colonel Cabell's office?—A. Higher up the street, but he was in my office all the morning.

Q. Well, that was headquarters for that day, wasn't it?—A. To some extent it was.

Q. How many clerks have you there?—A. We have in our business two clerks.

Q. No, at that time?—A. Clerks as to what, do you mean?

Q. At that time—that day—how many clerks in your business?—A. Two.

Q. Name them.—A. W. J. Dance and Charles Friend.

Q. Both Democrats?—A. Yes, sir.

Q. Do you remember Mr. Dunnell, of the New York Times, coming to Danville after the election?—A. Yes, sir.

Q. Did you have an interview with him?—A. Yes, sir.

Q. Where?—A. Well, sir, I think it was in my office; I think I was introduced to him likely in Colonel Wither's office, up above mine; I think he was in my office, and I think I saw him in the Arlington Hotel.

Q. Now, in that interview, did you say to him that the circular was an exaggeration, and would not stand close scrutiny; but it was a political document, however, and as such you thought was justified?—A. I don't think I used that language.

Q. Well, that in substance?—A. I said that it was substantially true, while in detail there might be some facts not exactly as detailed, and there might be some painting to it.

Q. Well, you left off the important point. Did not you say it was justified, or you justified it as a political document?—A. I don't think I did.

Q. It was issued as a political document, was it not?—A. Yes, sir.

Q. And you mean to say now that you did not tell Mr. Dunnell that that was the ground upon which you founded your justification for its issue?—A. I mean to say, if you want the language, it does not quote the identical language I used. He was interviewing me; I was not interviewing him.

Q. Well, but you admit that you told him it would not bear close scrutiny, don't you?—A. I do not.

Q. You do not?—A. No, sir.

Q. Do not you say it was not literally true?—A. I say that it was substantially true; that in detail——

Q. I ask you if you did not say it was not substantially true?—A. I did not.

Q. Did not you say it in substance?—A. I will say in substance what I did.

Q. Repeat it, if you please; I will see if you can repeat it twice.—A. I don't know that I can repeat the precise language.

Mr. VANCE. It will be nothing but fair to allow the witness to look at that interview if you have it; to let him refresh his memory a little.

Mr. LAPHAM. That has not been put in evidence.

Mr. VANCE. Well, you are questioning him upon it.

Mr. LAPHAM. No, sir; if I give any evidence on that subject I will call Mr. Dunnell. I think this witness admits substantially all I wanted him to.

Q. What did you say about that circular?—A. I don't remember precisely what I said to him. I have invariably said——

Q. State in substance what you said.—A. That the circular was substantially true; that some of its details might not be literally true. There might be some mistakes in details as to how it occurred, and perhaps it was a little painted; that it was issued at the instance of the Third Ward Club as a political document to show what the Coalition party did for us in Danville.

Q. Then you did tell him it was a political document?—A. In that sense.

Q. You just said to me you did not.—A. Well, I say in that sense.

Q. Well, in the sense you have just said, when I asked you the direct question if you did not say it was a political document, you said you did not.

Mr. VANCE. You asked him if he did not justify it as a political document.

Mr. LAPHAM. No, I beg pardon.

The WITNESS. That is my recollection as to what you said. I certainly stated all the time it was issued by a political club.

Q. You know the Danville Register, don't you?—A. Yes, sir.

Q. That is a Democratic paper?—A. Yes, sir.

Q. Did not that have an article commenting on Mr. Dunnell's letter to his own paper, the New York Times; don't you remember seeing that?—A. Well, I have no doubt that there was such a thing.

Q. No, I am asking if you remember seeing it?—A. I don't remember distinctly seeing it.

Q. You don't remember seeing a statement in that that Dunnell's report was a fair one?—A. Well, since you call my attention to that I remember seeing the statement. My memory was not taxed with it at the time. My recollection is that it was the fairest one that had been given by the Republican press of the North.

Q. That is good enough. Your Democratic paper so stated.—A. That it was the fairest one that had been given by the Republican press of the North. That is my recollection now. Whatever was in the Danville Register will speak for itself.

Q. Well, I haven't it here.—A. Yes, sir.

By Mr. VANCE:

Q. Was there a member of the council named Lipscomb?—A. Yes, sir.

Q. A colored man or white man?—A. Colored man.

Q. Could he read and write?—A. No, sir.

Q. How would he generally vote in the council meetings?—A. He voted with the Coalition party generally and voted after they did. I have never seen him correct his vote after he had made it.

Q. When he voted against them by mistake he would correct it?—A. He said he voted on that side. I have heard him use expressions of that kind, "intended to vote on that side."

Q. But had missed the side?—A. Yes, sir.

JOHN F. DEZENDORF sworn and examined.

By Mr. VANCE:

Question. Where is your residence?—Answer. Norfolk, Va., is my home.

Q. Have you been a Representative in Congress from that district?—A. Yes, sir; the Forty-seventh Congress.

Q. Were you a candidate for re-election in 1882?—A. Yes, sir.

Q. What ticket did you run upon?—A. The regular Republican ticket.

Q. Who were your opponents?—A. Mr. Libbey was the Readjuster-administration-coalition candidate, and Mr. Marshall was the Democratic candidate.

Q. Mr. Libbey was elected, was he not?—A. Yes, sir.

Q. At least he got the certificate and took the seat. Will you state, if you please, what you know in that canvass about what we speak of in this investigation, as drawing the color line; if there was any appeal to races as such in that canvass, and if so who made it, and what was its effect, and so on?—A. Well, I hope the committee will excuse me if I don't speak quite so loud as I ought to. I am quite unwell this morning; have been for some days. In that canvass there was a great division of parties. The colored vote, while naturally Republican—

Mr. LAPHAM. Senator, I want to make the suggestion if Mr. Dezen-dorf is here in the city and not feeling well, suppose we leave his examination until we meet a week from to-day.

The WITNESS. Governor Vance suggested that to me, but I may not be in the city at the time. The probability is I will be in Virginia at that time. Though I feel unwell, I would rather go on now.

Mr. LAPHAM. Well, I only spoke with reference to what the witness said about his condition. I am quite willing to leave it to some day next week if he desires.

Mr. VANCE. I will consult the feelings of Mr. Dezendorf about it.

The WITNESS. I should do so, but I may be away perhaps two weeks, and may not be able to get here.

Mr. VANCE. Just take your own time and give your testimony as best you can.

The WITNESS. Yes, sir. Well, I believe the colored vote of Virginia, as of every other Southern State, nine hundred and ninety-nine out of every one thousand would vote the regular Republican ticket if left to their own volition; and in that canvass I believe if they had just consulted their own wishes without any outside interference, it would have been polled for the Republican ticket. Yet in that canvass, as in every other in Virginia, since the advent of Senator Mahone as a controlling power in the State, the colored vote has been manipulated; it has been controlled to an extent never before attempted in the State, and their feelings were worked upon. All sorts of circulars were sent among them, even going so far as to send a circular purporting to be signed by the President of the United States, to be read to them, indicating his wish that the coalition should be sustained; and scenes of great violence that never have been seen before among colored men, as against Republicans, were enacted in that canvass, and almost every meeting that we had was attempted to be broken up—interrupted—by those who were representing the Coalition party.

Q. Will you give some instance, if you please, that fell under your own personal observation?—A. I think I would be safe in saying that I did not speak in any meeting at all in that campaign in which that was not the case; but I remember two instances that were notable for violence; one of them occurred at Yorktown, at which a military company was brought to bear, I think I am safe in saying, at the instigation of Capt. Dick Wise, the brother of Congressman John S. Wise, who is the superintendent of the lunatic asylum at Williamsburg. I know he was there and took them up, and I told him I would speak if they brought the whole military of Virginia there, and every Wise there was in the Wise family to back them. They might kill me, but I should certainly speak. I never have missed a meeting, nor missed speaking at a meeting where I was advertised to speak, through fears of violence or anything else.

Q. Just describe what was done with the military.—A. Well, they sent parties on the stand to take hold of me, to try to drag me off the stand, and they clubbed their muskets and commenced beating my friends. That can be substantiated, I suppose, by a hundred white men who were there, Republicans and Democrats alike. But after awhile, seeing my determination, Colonel Lamb asked permission to speak, and I said I had no objection for anybody on either side that saw fit to speak. And Colonel Lamb, who is the present mayor of Norfolk spoke, and then I replied to him.

Another instance was at Williamsburg City. The only time I spoke there during that canvass, where my friends secured the hall, or courthouse rather, from the mayor of the city, who was a Coalitionist, had his permission to occupy it, written permission—and after I had been speaking for some few minutes the Coalitionists came in there in a body,

and demanded a division of time, which I declined, it being the only time when I had been there, or would probably be there during the canvass. They insisted, and I still declined, but finally said to them if they would appoint any night and select anybody, I didn't care who, to meet me I would come there. I would make it a point to come there, and would do the best I could to uphold my side of the question, but that that night I must positively decline. Well, they kept up such a bedlam as I suppose was never heard before, instigated and pushed forward by the asylum people, I understood, although I could not swear positively. I did not see him, but I understood that Captain Wise was there on the outside instigating the matter. Finally the mayor, who had given us the permission, came in, and said that he would have to close the house unless I would consent to a division of time. I told him, "Very well, I certainly will not consent to a division of time to-night. I have your written permission for this house, and I shall occupy it, and if I do not, nobody else shall"; and finally he said the house must be closed; and I called upon my friends—there are 102, I think, Republican votes in Williamsburg, that is were in old times before the vote was divided, 102 now divided between Republicans and Coalitionists—he said the house must be closed, and I called upon my friends to go over all to the colored Baptist church, and 72 out of the 102 went with me, and on election day I think there were some 68 polled for me at that place. No such scenes ever took place before between Republicans.

Q. Well, did you hear any of the Coalitionists speak in that canvass with you?—A. Oh, yes.

Q. Did they make any appeal to the colored people as a race?—A. Well, the Coalition vote in Virginia, is almost entirely a colored vote. I don't believe that in this last campaign, the most that Senator Mahone ever polled in Virginia in any campaign where his individual Coalition vote could be measured was 31,000.

Q. Thirty-one thousand whites?—A. No, sir; they were not whites.

Q. Thirty-one thousand altogether?—A. They were not whites. A good number of them were Republican votes, and most of them Republican votes. And I mean most of them that were Republican votes were colored votes which were carried off by a circular two or three days before the campaign, purporting to give the wish of the national committee that the Republicans of Virginia should support the Hancock and English Readjuster electoral ticket. That was circulated all through the State, and—

Mr. LAPHAM (to the chairman). I think that is going rather too far back.

The WITNESS. I do not think I am going back any further than Mr. Wise's testimony and others who have testified.

Mr. VANCE. Oh, Mr. Wise covered the whole ground from the invasion of Julius Cæsar to the Cincinnati riots.

The WITNESS. I do not desire to exceed the limit set by the committee.

Mr. LAPHAM. My remark was not intended for you; it was intended for my colleague.

The WITNESS. Oh, I beg pardon. As I say, the Coalition vote is mostly a colored vote, controlled by the means that I have indicated. I believe honestly to-day if there was to be an election held in Virginia to-morrow and the Republicans of the State were to go to the polls and vote according to the dictates of their conscience, that it would be polled for a regular Republican ticket. But the office-holders of the State have all been given to understand, and do all understand, that

the entire office-holding interest of Virginia are under the control of Senator Mahone. It is so. Nobody can deny it. The President himself cannot deny it, and I don't think will deny it, that as far as the officers of Virginia are concerned, there has not been one appointed since the income of his administration except on the recommendation of Senator Mahone. That being the case—why, I think so—why, I have private letters, written within three months, many of them, yet feeling as they do that their tenure of office depends upon upholding a certain measure or certain measures, why of course they—unfortunately the larger majority of the colored vote are people who can neither read nor write, and they are therefore controlled by those who they think are the representatives of the Administration in Washington. I don't think there ever was such a state of affairs in any State in this Union as there is to-day in Virginia. I don't think any other State in this Union, any Northern State, would submit for twenty-four hours to such a state of affairs as exists in the State of Virginia.

Mr. LAPHAM. That is hardly competent.

Mr. VANCE. Very well. [To the witness.] How in the last election, and in that one that you spoke of, did the colored people treat any of their number who differed with them, who wanted to vote the straight Republican ticket or the Democratic ticket?—A. Why, sir, I know of instances. I have one man in my mind particularly, a colored man, whom I believe is as good a man, white or black, as ever was born into the world, as honest, conscientious, upright a man. He is a preacher. He is a Republican; always has been. He was a soldier; never voted anything else but a Republican ticket. Well, as you all know, a great many colored preachers take an interest in politics, and from this fact, that the colored people have to depend upon those few among their numbers who can read and write; their vote is dependent almost entirely upon that class. They take them for what they call their leaders and their ticket holders, &c., on election day. Well, this man in that election of 1880 was my friend, stood by me, stood by the Republican ticket, and in the next election which followed, which was a State election, in which I was a candidate for county treasurer, he still supported me. Why, sir, they even went so far as to try to get him turned out of his church; a man, I suppose, who has done more for the church interest in that locality than any other man in the whole neighborhood; a man who has built through his efforts three or four very creditable churches for the colored people, and built up quite large congregations. They went into his church and tried to create trouble, tried to make them believe that he was their enemy and working against their interest. And I know of another colored preacher who has actually been turned out of his church because he has stood by the regular Republican ticket. If we are wrong now why we have been wrong all the time, because we are supporting the same Republican principles now which we have supported always. I never voted any other ticket in my life. I voted for John C. Frémont for President, the first vote I ever cast.

Mr. LAPHAM. Now this is getting a great ways from the matter. If you know of any instances—

By Mr. VANCE:

Q. What was the name of that preacher that was turned out?—A. His name was Dempsey Thompson.

Q. What was done with him? Did they take his congregation away from him?—A. I don't know. I only know he was turned out of the church, and he has lost his congregation, I suppose.

Q. Do you know of any instances of individual violence toward the colored man for voting contrary to the bulk of the race?—A. No, sir; I don't know only what I have seen and I have heard.

The CHAIRMAN. What you have heard you ought not to state. Just state what you know yourself.

The WITNESS. I appreciate that fact, sir. I have seen at meetings colored people attack colored people——

By Mr. VANCE:

Q. For political reasons?—A. Certainly.

Q. Do you know anything about social ostracism of any of their race who disagreed with them?—A. I believe there has been greater persecution exercised by Senator Mahone and the Coalition party——

Mr. LAPHAM. Well, that is not an answer to the question.

The WITNESS. I think it will be before I get through with it if you will let me answer in my own way. If I am to be here as a witness I must answer according to my own judgment, or else not answer at all.

Mr. VANCE. Go ahead.

The CHAIRMAN. What is the question?

Mr. VANCE. The question is in relation to instances of social ostracism. He was proceeding to say that there had been more of it under General Mahone's administration——

The WITNESS. I think there has been greater persecution of not only colored people but white people in Virginia, Republicans under the rule of the Coalition party, than ever was exercised toward them in the meanest days right after reconstruction by what was called and what is now called the Bourbon Democratic party. That is what I mean and what I say, and I say it conscientiously as anything I ever said in the world, and if you want instances of it I will give you some.

Q. Well, sir, that is what I called for—any instances of persecution?—A. Now, when you come to deprive a man of his bread and butter for him and his family I call that about as strong persecution as you can exercise toward him. I can mention several instances. I saw a gentleman right in this room a little while ago. There he sits now [indicating.] He is a native Virginian and a Republican; I am satisfied never has voted anything else but a Republican ticket. He was turned out of office because he refused to support the Hancock and English Readjuster Electoral ticket, and he is out of office to-day and has no means of support. Since this last campaign a man in Fairfax County by the name of Creed, he is president of a Republican club there of fifty-two members, that never voted any other ticket but the Republican ticket except when he voted for Cameron for governor. In this last campaign he supported Ozias Blanchard, of Herndon, Fairfax County, for the legislature, who is a Republican and a member of the State senate of Maine when Hannibal Hamlin, of Maine, was elected to the United States Senate. Mr. Creed voted for and supported Ozias Blanchard. He had been out of office, had nothing to do for months, and the day before Christmas I went to Mr. Rounds, the Public Printer, and asked him to give him employment. He has a wife and ten children——

The CHAIRMAN. Oh, all that detail is——

The WITNESS. No, but the detail, Mr. Sherman, is what shows the animus of the thing.

Mr. LAPHAM. Well, you cannot be permitted to state what Mr. Rounds did.

The WITNESS. I am going to state that Mr. Rounds put him in office and then show what follows.

Mr. LAPHAM. Well, we object to it.

The WITNESS. Well, it is a case of persecution.

Mr. VANCE. If I understand the object of this inquiry, it was a general one to ascertain whether the rights of the people of Virginia with reference to suffrage were preserved and enforced properly under the laws, meaning of course to charge it upon the Democratic party.

The CHAIRMAN. But what I object to is the infinite range of this witness telling what Mr. Rounds's action was in a particular case.

The WITNESS. I don't want to say what Mr. Rounds said. I want to show what Mr. Rounds did and then show what follows. That is all it is; a piece of persecution.

The CHAIRMAN. Well, if you know any individual cases of persecution on account of political feeling, you can state them, but not as to removals in Washington, &c.

The WITNESS. It is all a part of the general policy that everybody in Virginia must submit to one man; that nothing in Virginia can be done except what is done through one man.

The CHAIRMAN. This is not in Virginia; this is an office in Washington.

The WITNESS. But this relates to Virginia, as I understand it, and I am only giving cases of individual persecution that I know of, and you can get the man here if needed.

The CHAIRMAN. Any cases, Mr. Dezendorf, of intolerance or hardship or proscription.

The WITNESS. Well, I call that intolerance and hardship and proscription, all three put together. What can be more intolerant than depriving a man of his means of livelihood simply——

The CHAIRMAN. You are going now clearly beyond the line of witnesses. I am merely suggesting that you confine yourself to facts, not to argue with me.

The WITNESS. I am giving facts.

The CHAIRMAN. Now state any acts of violence occurring in Virginia.

The WITNESS. That is in Virginia. That is what I am trying to do, but you object.

The CHAIRMAN. You are giving conversation with Mr. Rounds.

The WITNESS. No, sir; I am going to say what Mr. Rounds did—that he put this man in office and that afterwards Mr. Mahone went there and had him turned out.

By the CHAIRMAN:

Q. Do you know Mr. Mahone went there?—A. Yes, sir; of course I did; Mr. Rounds told me he did.

The CHAIRMAN. There, you are giving Mr. Rounds's conversation. Are you a lawyer?—A. Well, Mr. Rounds is an honorable man and would not——

Mr. VANCE. I think you are unduly rigid, with all due respect. The course of the examination has been to allow any man to say anything, even to unknown men on a train, or a supplement of a newspaper, and telegrams taken off the wire by some operator as he heard it whiz over the wire, and all that for the purpose of convicting the Democratic party. Now, why should not positive acts, sworn to, and names given of responsible men, be allowed as evidence to convict, in a like way, the Republican party, or the Coalition party, of the same thing—the same thing, the same offenses, or worse?

The CHAIRMAN. Well, the committee has been very liberal on both sides and opened broadly the range of testimony far beyond what would

be allowed in any court of justice, and I wish to see it extended on both sides in exactly the same degree, but it seems to me that the testimony that Mr. Dezendorf is now giving is not what he knows, but what people say to him, and extending outside of the jurisdiction of Virginia; what public officers he met, giving conversation with the President, and conversation with the officials no way connected with Virginia politics. It seems to me a wide range, but I am inclined to let him go on, with this condition—that he confine himself to cases of ostracism that he speaks of, and to tell only what he knows himself, not what is said to him by others.

The WITNESS. Well, I know that man who, has a wife and ten children, the oldest one not sixteen years of age, dependent upon him for support, was turned out of office on that account.

By Mr. VANCE:

Q. Give any other instances that occur to you.—A. I know, sir, that there is not to-day in Virginia any chance at all for a Republican who does not agree with the present policy to find employment in any Government institution.

Q. Do you know of any cases of men being disturbed and persecuted about the Government yard at Portsmouth?—A. Plenty of them.

Q. Give some of them.—A. There is not one to-day working in the navy-yard, I believe—I think I can swear to it truthfully—that does not uphold and support the present policy. I am really quite sick.

Mr. VANCE. If you feel too unwell we will dispense with your further examination for the present.

The WITNESS. I would really like to get through with it to-day, because I know I shall have to be absent. I am very unwell; but I am satisfied I will not be able to be here for some time again.

Mr. LAPHAM. I don't think we ought in his present condition to subject Mr. Dezendorf to the cross-examination to which he is properly subject from what he has said.

The CHAIRMAN. I will ask Mr. Dezendorf a few questions, though, if he prefers not to come back again, although I do not like ever to put a man under examination when he is unwell, manifestly so. If you can come here early next week it will be better for us.

The WITNESS. I don't think I will be here next week.

The CHAIRMAN. Then I will ask you a few questions.

Mr. VANCE. Well, I will stop my examination. I am not through, but in deference to the condition of the witness I will stop my questions and let you cross-examine him and get away as soon as he can.

By the CHAIRMAN:

Q. Now, did not you differ with the mass of the Republican party in the question of whether it was not wise to form a coalition with all the independent elements of Virginia?—A. No, sir; I don't think I did.

Q. You don't think you differed with them?—A. Not the mass of the Republican party, no, sir.

Q. When was the Coalition party formed?—A. There was a convention called——

Q. I mean the Readjuster. First let me ask you about that.—A. The Readjuster party was first formed in 1879.

Q. Up to that time, if I understand, the Republican party had been in the minority, had it not, in Virginia?—A. It was in the minority, yes, sir.

Q. And then the question about the debt arose, the funding of the

debt, and upon that the white people were divided; was not that the case?—A. Yes, sir.

Q. One portion of the whites were in favor of the funding bill, as it was called, and another portion denouncing that, supporting what was afterwards called the Riddleberger bill?—A. One in favor of the honest settlement of the debt and the other in favor of repudiation.

Q. That is your situation?—A. And I don't think any Republican would be in favor of repudiation, and therefore I did not go with them.

Q. You took the Democratic view, then, of the refunding bill?—A. No, sir; I took the Republican view. I never took a Democratic view of anything in my life. Now, if you want me to answer questions you must not try to put them in my mouth.

Q. I must put the question. I have the right to put questions and you must answer.—A. But not in the form of an answer. You must not say I took a Democratic view, because I never took a Democratic view of anything in my life.

Q. Did not you in that question of funding act with the mass of the Democratic party?—A. No, sir; I acted with the Republicans and with the principles of the National Republican party, which are in favor of the honest settlement of all debts, State and national.

Q. Don't you know that the Readjusters claimed that they were not only in favor of the payment of a certain portion of the debt but that they were the only party which were in favor of it?—A. It does not make any difference what they claim. I know that really—

Q. Well?—A. Wait a minute. You ask me a question, and let me answer it. I don't know what they claim, but I know as well as I know anything that morally they repudiated one-third of the State debt of Virginia.

Q. Did not the Funders repudiate a portion of it?—A. No, sir.

Q. Did they not repudiate a portion of it?—A. No, sir; never repudiated it. I have nothing to do with what the Funders did or any Democratic party. I am a Republican.

Q. In other words, the white people were divided on that debt question?—A. Yes, sir; I took the ground that this was the time for Republicans to be solid.

Q. Then, as I understand you, the Democratic party was, as a rule, in favor of this funding bill?—A. Yes, sir; and a great many of the Readjusters voted for it.

Q. Just answer my question. Upon that question the white people were divided?—A. Yes, sir.

Q. Don't you know this, that the Republicans, generally, of Virginia, were in favor of joining with a portion of those white people because those white people would at least give them the security of the repeal of the poll-tax, and also the guarantee of a fair count and free election?—A. Why, Mr. Sherman—

Q. Did not the Readjusters take that position?—A. If you knew those people as well as I do—

Q. Well, I want to get at what these people are doing, not what kind of people they are. Did not they propose?—A. Well, every Republican in Virginia voted for the repeal of the capitation tax. I did, and every other Republican in Virginia.

Q. Now, the Republicans alone were not able to secure the repeal of that poll-tax, were they, without some friends from among the Democrats?—A. Well, sir, that might have been, but because of that, that was no reason we should sacrifice the cardinal principle of the Republican party.

Q. I ask you whether the motive of these men in joining with these Readjusters was not in order to secure the repeal of the poll-tax, and also in order to secure some guarantee for their right to vote; was not that the object they proclaimed?—A. Mr. Sherman—

Q. Cannot you answer me that now?—A. Yes, sir; and I am going to answer it. I will answer the question you asked me, and I will answer it fairly, but I will answer it in my own words. I am competent to answer any question you ask me, but I must answer it in my own words and in my own way.

Q. I don't want to worry you; take your own time to it.—A. If I cannot answer it in that way, I do not want to answer at all. When you speak of the majority of Republicans going with the Coalitionists at the Lynchburg convention in 1881, where the split in the Republican party took place, two-thirds—three-fourths—of the Republicans who came there came there as Republicans intending to support a Republican ticket, but through manipulation—through a whole train-load of people which was sent up there by a free ride, chartered for the special purpose—a split was produced in the convention and a separate assemblage was convened.

Q. Now, all that has nothing to do with the question. I must insist upon your answering my question.—A. I am.

Q. Now, let me ask you the question. I will ask you whether the men of the Republican party who went in and joined the Refunders, did not join it upon the distinct understanding that by that kind of a coalition they would secure the repeal of the poll-tax and secure free and fair elections? Now, I ask you that, not all the proceedings of that convention; I only ask you what you must know—yes or no.—A. I do not choose to answer the question yes or no. Of course I cannot answer it in that way.

Q. I will ask you the question again and put it upon the record. Don't you know that the motive of the Republicans who voted in favor of coalition was to join a sufficient number of white men who formerly acted with the Democratic party to secure the repeal of the poll-tax and to secure free, fair elections in Virginia. Now, you can answer that yes or no.—A. I have no doubt that was the motive of a good many.

Q. Now, that is all I wanted. I do not want to take advantage of your condition.

Mr. VANCE. You say now that he cannot go on and qualify that?

The CHAIRMAN. No; I say he can qualify it as much as he chooses.

The WITNESS. I do not think, Senator, you ought to ask a witness on the stand yes or no, when you put him a question and expect him to tell the truth.

Mr. LAPHAM. Oh, yes; it is a cross-examination.

The WITNESS. I know it is; but a man must tell the truth on cross-examination as well as any other, and I don't propose for you or anybody else to make me testify to something that is just going to satisfy a particular branch of investigation. I come here to tell what I believe to be the truth in the state of affairs in Virginia. I have not got that much interest [snapping his fingers] in the Democratic party of Virginia, and hope I never will have.

By the CHAIRMAN:

Q. Now, coming to the last canvass, I will ask you this question: Did not the Democrats themselves indorse the Riddleberger bill and stand upon that bill, and say that that had been settled by the decisions of the courts and by the judgment of the people of Virginia?—A. I think they did.

Q. That was their position?—A. I don't think the Republican party is responsible for that.

Q. Then as far as that is concerned the Democrats stood on the former footing of the Readjusters. Now, let me ask you whether or not the coalition of the Republicans and the Readjusters was not in the last campaign based solely upon the fact that by this coalition they hoped to have strength enough to secure free and fair elections and to secure Republican ideas in Virginia?—A. Oh, when you speak of free and fair elections, I don't think there was any. There never was an election held in Virginia since the war in which there was so much unfairness as the election of 1882; never, sir.

Q. I am not talking about the election of 1882.—A. Well, you are asking me about free and fair elections, and what they hoped to get under the Coalition rule.

Q. I am trying to get at the real gist of this controversy to see what the Republicans who went into this coalition aimed at.—A. How can I tell you what they aimed at? I don't know what they aimed at. I know what I aimed at.

Q. You say you don't know?—A. I don't know; I presume that is what a good many aimed at. I presume there are a good many men of honest convictions in it. The right way for you to get what they aimed at is to call them and get it.

Q. You say you had three candidates in your district; one was the Coalition candidate; who was he?—A. Libbey.

Q. He had been a Republican?—A. He had been a Republican; yes, sir.

Q. Who was the Democratic candidate?—A. Mr. Marshall.

Q. And you were the Republican candidate?—A. I was the Republican.

Q. You were the Straightout?—A. I was on the Republican ticket the same that I was in 1880, and elected; supported by the same men.

Q. Don't you know the great mass of the Republicans voted for Mr. Libbey?—A. Yes; I know they did, but I know this much. Five days before the election I was just as certain I would poll three-fourths of the Republican vote of the district as I would have a vote, but they were bought up; votes bought right out. When you come to talk about a fair election, I consider that just as bad as ballot-box stuffing.

Q. How do you know?—A. How do I know? How do you know that George Washington lived or anything else that you don't know positively?

Q. Let us go back again. How many votes did Mr. Marshall get?—A. I think about 11,000.

Q. How many votes did Mr. Libbey get?—A. I think 14,000.

Q. How many did you get?—A. About 4,000, with all the administration and everybody else against me.

Mr. LAPHAM. I am glad to have that go on record.

The WITNESS. I am glad to have it go on record, too.

Mr. VANCE. I think two able-bodied Senators against one sick witness is rather too much.

The WITNESS. Well, let me go ahead; I believe I am getting better.

By the CHAIRMAN:

Q. In other words, it is a common case where you were to differ with the mass of your party, and you think the mass of your party left you instead of you leaving them?—A. No, sir, I did not leave it at all. If I was right in 1856 I am right now.

Q. You are voting for Frémont yet?—A. No, sir; I am not; but I am voting for the principles of Frémont.

Q. Not voting so, though you are differing with the principles of the mass of the Republican party?—A. No, sir, I don't believe I differed with nine out of ten of them honestly.

Q. How comes it they vote so, then?—A. Well, if you knew as well as I do how things are in Virginia—you don't know.

Q. I would like to know.—A. Well, come down there and stay awhile; I would like to have you come down there. I think if some of our Republican friends from the North would come down there and go through the South they would know a good deal more about it than they do now.

Q. You believe, as I have no doubt, honestly; you believe in the old Republican doctrine we all profess?—A. I believe, Mr. Sherman, this, that if the Republican party in this country, and the Republican Senators in the United States Senate, had stood by the Republicans of Virginia, we would have had two white men with us where Senator Mahone has one.

Q. Then, you think our Republican friends made a mistake in allying themselves with a portion of the white people?—A. I think it was the greatest mistake that was ever made in the history of the future, and I believe it honestly.

Q. But how would you expect the Republican party to be in the majority, it having been so long in the minority, unless it will make a coalition or an agreement with a portion of the white people who were formerly Democrats in Virginia?—A. We carried the State for General Grant in 1872 by taking advantage of the Democratic split in the State, and we would have carried it in 1880 in the same way.

Q. That is your opinion?—A. That is my opinion and the opinion of every man that knows anything about it.

Q. Then you think the body of the Republicans made a mistake in forming any coalition?—A. I think so; yes, sir.

Q. Now, it comes back to the point that the great mass of the Republicans believed that by coalescing or affiliating with the men who had taken a stand on the funding question that they might secure in that way to all the people in Virginia free election and a fair vote?—A. That I believe it might?

Q. That was their motive?—A. You can't tell me that that was their motive. How do I know what their motive was? I can't tell.

By Mr. LAPHAM:

Q. The Democrats generally attended your meetings, did they not?—A. The Democrats; no, sir. I don't think any Democrats are very particularly anxious to hear me speak.

Q. During your meetings last fall did they not attend your meetings?—A. No, sir; I don't think they did.

Q. As a rule was not your audiences composed mostly of Democrats?—A. Why, sir, in 1800 and——

Q. No, sir; now just answer my question.—A. What on?

Q. As a rule wasn't your audiences composed of Democrats?—A. Why, sir, when you speak to an audience in New York do you see who composes your audience?

Q. No, sir; I am not on the stand now.—A. When I speak I am glad for anybody to hear me.

Q. Answer the question.—A. What is that?

Q. As a rule wasn't your audience Democrats?—A. No, sir; they were not.

Q. You don't know, then, that the Democrats were in sympathy with you in the course you took?—A. How do you mean "in sympathy with you?"

Q. Why, we have proof that they were glad to see your movement.—A. I don't understand in what sense you mean. If you mean——

Q. Don't you know, to come right to the point, that they hoped to elect Mr. Marshall by the defection you would make from the Coalition-ists?—A. I don't know what they hoped; I know what I was doing. I know I was doing the best I could to elect Dezendorf.

Q. You vote for him, do you?—A. I do when he is regularly nominated, and I always try to accomplish my object.

By Mr. VANCE:

Q. I dislike to ask you in your condition, but I would just like to ask you one question more. Mr. Sherman has asked you many questions as to the reason why Republicans made coalition with Democratic non-debt payers——

Mr. LAPHAM. Democratic what?

Mr. VANCE. Non-debt payers.

Q. I will ask you if you think it possible that they could have transferred the bulk of the Republican party to the Coalition party but for the fact that the Administration here gave the offices and emoluments and patronage of the party in Virginia to anybody that would come over and join them?—A. I don't think Senator Mahone's party would hold together fifteen minutes if it was not for the support of the Administration—not fifteen minutes.

The CHAIRMAN. I don't think that is competent; you are asking the opinion of your witness.

Mr. VANCE. Well, you are asking him even as to the secret motives of men.

The WITNESS. I know my effort in Virginia has been always to sustain a Republican organization. My effort in this last campaign was to get a Republican balance of power in the legislature which would stand between both parties, and I believe if I had succeeded it would have been a great deal better for the State—a great deal better.

By Mr. LAPHAM:

Q. If you could have prevented what the Democrats have been doing during the last session it would have been.—A. If I had been there—they have done something that I would not have done. I would have staid there until Gabriel blew his horn, first.

By Mr. VANCE:

Q. I will ask you, is it not a fact that no man in Virginia could get office unless he yielded to that rule?—A. I think that is a fact; I think that if every Republican and Coalition Congressman, with Senator Riddleberger thrown in, was to ask the appointment of a man they could not get it without Senator Mahone's indorsement.

Q. You told me that the President himself would not deny the fact that he had given all the patronage to Mr. Mahone?—A. I don't think he would; I don't think he could, because it is a fact which the records show.

Q. Did you ever make remonstrance to him about it?—A. Oh, yes.

Q. What answer did he make to you?

Mr. LAPHAM. I object to any inquiry as to interviews between this

witness and the President, and I want that to go on record. I for one will not permit this investigation to be drawn off into a question of that kind.

Mr. VANCE. Well, if you would tell me what it could be drawn off from——

Mr. LAPHAM. I am amazed that you should take up a volunteer effort of the witness, and make it really a serious subject of inquiry.

The WITNESS. Oh, I beg pardon; the witness is not here voluntarily at all. If I chose my own volition I would be home and in bed.

Mr. LAPHAM. I say a voluntary statement.

The WITNESS. I have not made any voluntary statement at all.

Mr. LAPHAM. Well, the record will show whether I am right or you.

The WITNESS. I have not stated anything but what is the truth.

Mr. LAPHAM. You are very belligerent for a sick man.

Mr. VANCE. The rallying cry of the party in Virginia has been in favor of a free ballot and a fair count, and this investigation is charged to inquire into the fact whether any improper uses and any unconstitutional methods or illegal methods have been used to pervert the right of suffrage in Virginia. I want to know from this witness if the head of his party and the head of the Government has not placed the virtual control of the affairs of Virginia into one man's hands.

Mr. LAPHAM. That we object to.

Mr. VANCE. Of course, you object to it.

Mr. LAPHAM. But we do not object to any inquiry as to Mr. Mahone.

The CHAIRMAN. So far as the question affects Senator Mahone, but I don't think it is proper for us in this investigation to inquire into conversations with the President; I think that would be going beyond——

Mr. VANCE. Of course, the object of this investigation is not to impeach the President in any way.

Mr. LAPHAM. I am amazed that the witness should state anything of the sort.

Mr. VANCE. It is a little amazing that the witness should state anything that was not agreeable to the prosecution of this case.

The WITNESS. The witness would be the last man to state anything that is given to him in confidence by the President, but anything that is given to the witness or anybody else in public and before witnesses is the property of the public.

Mr. VANCE. Undoubtedly if we are to stop whenever it touches in such a manner as to lay the fault on some high authorities, and to report back to the Senate that the people of the great State of Virginia—that to exonerate them would be to inculcate some one else, why then, of course——

The CHAIRMAN. Well, in order to stop this I am perfectly willing that you should call for any information, public or private, from the President of the United States. If a sense of delicacy does not compel you to withdraw the question I will withdraw the objection, and you may ask the witness what the President said, fair and square.

Mr. VANCE. I don't think I have offended against the laws of delicacy in the slightest degree.

The CHAIRMAN. Well, the President would be put in a position where he would not care——

The WITNESS. I have no disposition to put the President in any embarrassing position at all. I think as much of the President as any man in the country.

Mr. VANCE. I submit that both of us think more of him than the Senator who is making the objection.

The WITNESS. I don't think he has any better friend than I am in the country.

Mr. VANCE. These are notorious facts that I thought were current history of the times, and it is proper in defense of the people who have been arraigned here by this investigation to bring out anything that would tend to their justification.

Mr. LAPHAM. I want it understood that I do not yield that an inquiry in this investigation, as to an interview between this witness and the President in regard to Virginia politics or any other subject—I don't yield the point that that is out and out an improper and unjustifiable inquiry, and I want the record to show it.

Mr. VANCE. Of course, the record is showing I suppose all we are saying on this point; I just simply proposed to ask this and no more; I have already asked him if he made any remonstrance to the President about this state of affairs; I now propose to ask him if the President denied it or justified it.

The CHAIRMAN. What the President said, I suppose, if you wish to ask it, is evidence in a matter of this kind; what the President said, I suppose, will be taken, not whether he approved it or disavowed it, but what the President said. I don't think myself it is within the scope of this investigation, but still——

The WITNESS. Well, I have no desire to exceed the bounds of the investigation so far as I am concerned.

The CHAIRMAN. You can answer the question as to what he said if you choose to.

Mr. VANCE. I will not press this question. If my associates of the committee think it is not proper toward the President I shall withdraw the question.

Mr. LAPHAM. I thought your good judgment would prevail.

Mr. VANCE. No, sir; it is not my good judgment; my good judgment does not have anything to do with it; I just do it out of deference to what is supposed to be courtesy under the circumstances to the Chief Executive of the United States.

Mr. LAPHAM. Well, that is the ground of my objection.

By Mr. VANCE:

Q. You have been asked if the Democratic party had not adopted the Riddleberger bill and so on; I ask you if they did not simply say in their convention in Lynchburg that they acquiesced in the decision of the Supreme Court and regarded that question as at an end?—A. Well, sir; I really couldn't tell; I take so little interest in Democratic platforms, &c., that I really couldn't tell what it was. My impression is, though, that it was something of that kind; I think they were very foolish.

Q. In doing so?—A. Yes, sir.

By the CHAIRMAN:

Q. I would like to ask you about what the Democrats did towards turning people out of office?—A. Of course they turned them out; but a Republican administration is not generally expected to turn out Republicans that supported them.

Q. You complain that the Republican administration—— A. I don't complain at all, because I don't care; but I say that they turned out those that supported them and put in those that were against them and spent money against them. Not only that, but spent money from the national Republican committee for the success of the Hancock and En-

glish electoral ticket, and they worked for the Coalition party, and if Hancock and English had been elected they would have been in the Democratic party to-day, every one of them—Senator Mahone and all.

J. M. SHELLEY sworn and examined.

Question. Where do you live?—Answer. Petersburg, Va. Not exactly in Petersburg, but a place just across the river called Edricks.

Q. What is your business?—A. Machinist.

Q. Were you present on the day of election in Petersburg?—A. Yes, sir.

Q. At more wards than one or at your voting ward?—A. Well, I don't vote in Petersburg at all. I voted on the opposite side of the river.

Q. Well, you attended the election in Petersburg, didn't you?—A. Yes, sir; I was at the Fourth ward polls during the evening while the election was going on.

Q. What kind of an election was it?—A. It seemed to be a pretty square thing. It looked like it to me; everything going on pretty well.

Q. Any disturbance or violence?—A. I never saw any until evening, near about the close of the polls. I disremember exactly the time, but I guess about 4 o'clock, or probably a little after 4.

Q. Did you see any then?—A. Yes, sir. All I saw then was, in fact, a big crowd all around the polls, you know. Everybody was talking about the election, and the general and his son came down the street.

Q. What general?—A. General Mahone. He came down the street with his son in his phaeton, and right across from the polls his phaeton stopped. As soon as the phaeton stopped the general got out and walked towards the polls. I guess he had been over in the crowd not longer than four or six minutes—not over that—right at the door; they had the poll divided off, the voters; one come one side and one the other. I believe was the way the poll was divided, so as to keep the crowd away and allow the voters to get up. Just at the time he got in the crowd something was said about a fair election—fair voting—but what that was I don't know. I was sitting on a fence on the opposite side of the street; that time I saw his son, Butler, jump out of the phaeton, run across the street with a cane in his hand; had hold of the cane about midway, and just as he got on the opposite side of the street somebody said—who it was I don't know—"Jack, they are going to have a little fuss; looks like, the way that boy is going there." I jumped down off the fence and ran across the street to see the excitement—what it was. I guess I was about 30 or 35 feet—anyway, the width of the street—and just as I got into the crowd the crowd began to bulge right together. Somebody says, "Look out for Mahone's pop." At that time I began to look around, not knowing really it was a pistol from the conversation what I heard. Presently somebody hollows to me, "Jack, get hold of it," and that time the pistol was knocked from Mahone's hand—Butler's hand. Mahone himself (the old gentleman) remarked, "Yes, he has got a pop, and so have I." At that time Butler stopped to gather his pistol, after it was knocked from his hand, and I went on the ground and gathered it, and a colored man right behind Butler, he stooped to gather it, and I went down, and we three were all down on the ground after it, but I happened to get hold of it, and just as I got hold of it my remark was, "I have got his revolver; there is no trouble," just in that way. I turned around, then, to the judge of election, and says, "I have Butler Mahone's pistol, and I deliver it to you under the charge that he shall go before the court for drawing a weapon

in a crowd with intention of using it." He asked me why did I order that Butler should go before the court. I told him I went across there and saw what was going on, and what I had done was to protect both white and black—even myself—for if a man fired a gun or pistol it might hit me as well as anybody else in the crowd, and I felt it my duty as a law-abiding citizen of the State of Virginia, if I could quiet a row, to do it. Then, as I reached up to give it to the judge of election, I was pulled away; just as I was pulled away, a police ran up to me and gathered me in the collar and says, "Surrender that pistol or I will put you in jail." "No, I won't; I demand you to arrest this man for attempting to use this pistol," and one word brought on another. He said he would knock me down with a "billet" if I didn't surrender it. He didn't care to take charge of the man who was using the pistol at all, and so I said I would not surrender it until the chief of police came, and as soon as he did he promised me that the pistol should go before the mayor's court at 10 o'clock, and before my eyes, and then I agreed to surrender the pistol.

Q. What I wanted you tell about is, if you—— A. Yes, that is what I know about it.

Q. Well, but what was the cause of the rumpus in the first instance?—A. Now, I was on the opposite side of the street to this crowd, and just as I was going across about the pistol—as I was on the opposite side of the street, there was a little talk about a colored man voting, but what that was I don't know.

Q. That is the very thing I wanted to inquire about.—A. No more than I heard Mahone say this: "We want a fair election"; and several men standing there said: "There shall not be anything else but one; everybody shall be dealt with fair, and everything shall go on square," or words to that effect.

Q. That was the very matter I wanted to ask you about. You didn't see what it was, whether it was any interference with any man's right to vote?—A. No, sir.

Q. You just saw Mahone draw the pistol?—A. Butler Mahone drew the pistol, and Senator Mahone says: "Yes, Butler has got one, and so have I," and he threw around his coat one side, and as he did so, somebody took hold of him to keep him from firing his revolver, and everything was heads and tails—all mixed up, and you couldn't tell, only I know this man slapped Butler's pistol out of his hand; who it was I don't know.

Q. Do you know the negro's name that the fuss was about?—A. No, sir; I don't know his name.

Q. Did you hear the investigation next morning?—A. Yes, sir.

Q. What was shown there?—A. There was a pistol shown there in court.

Q. What was the offense that was shown there; did anybody give an account of the circumstances that lead to it?—A. Well, sir; it was given in there next morning in court about a darky going up to vote, and when he went up to vote, he started to vote the Democratic ticket, as we call it, and another darky standing there says to him: "Is your father a negro man, or is your mother a negro woman." His reply was, "Yes." "Well," says he, "how can you vote the Democratic ticket then?" At that time the general came right up when that occurred, and spoke for a fair election, and as if this man was trying to make this darky vote as they felt disposed.

Q. That was the substance of the testimony next morning?—A. Yes, sir.

Q. That some negro man went up to vote and another negro man

asked if his mother was a negro woman or his father a negro man?—A. Yes, sir; and he said yes, and he said he wanted to vote that ticket. Another thing was: Here runs High street this way [illustrating]; a poll runs right down to the door; this darkey was standing in the door with tickets in his hand; here comes this darkey along, this way [illustrating], up the street to vote; just as he come along this darkey standing in the door saw what he had in his hand, and said, "Was father a negro, or was your mother a negro woman?" And he said, "Yes," and then he fell to work and went to blackguarding him about voting his ticket. The general, about that time, made his appearance, and he hollers out, "Fair election," and a gentleman standing there says, "Nothing else but a fair one." At that time Butler made right across the street with his cane, running in there to the crowd. All went in.

Q. What was the case as shown in court; you say you didn't see it?—A. No, sir.

Q. What was the case in court; who interfered with the negro man?—A. The negro man in the door.

Q. He only interfered, as I understand it, by talking to him?—A. About talking to him, and then the general went in.

Q. How did that make the fuss?—A. That is where it troubled me. That is where the fuss occurred, right then, because I was on the opposite side of the street when the general went on over there and when I went across the street to see what was going on——

Q. I know, but I thought perhaps you had heard it explained in the court.—A. I heard it explained in court, where it commenced on this darkey about the voting, and that the other darkey goes to work and asks the question whether his father——

Q. Justso; I understand. And the general asked for a fair election, and then his son rushed in and all the crowd said nothing else, but when——

Q. What was the result of the trial; what did the mayor do?—A. Fined Butler \$15 for carrying a concealed weapon.

Q. Was anything else done by the mayor?—A. Well, not any more than he——

Q. Was anybody else implicated in it in any way?—A. No, sir; the only charge was against—as I remember now—the only charge was against Butler for drawing a pistol in a crowd; supposed to be with the intention to use it, and his action.

By Mr. LAPHAM:

Q. Now as I understand it, General Mahone wanted to secure to this man the right to vote as he wanted to?—A. I was on the opposite side of the street——

Q. No, never mind the explanation; answer my question, please; did you not understand from the explanation given next morning that Mahone's interference was to allow this man to vote without interference?—A. Well, yes; from the way I understood it.

Q. But still Butler was punished for having the concealed weapon contrary to law; that is all there was of it?—A. Yes, sir; that is all I saw.

By Mr. VANCE:

Q. As I understand you, this was in the mayor's court?—A. Yes, sir; in the mayor's court.

Q. Was he a Readjuster—a Coalitionist?—A. Well, yes; I think he was a Readjuster that tried him.

W. H. THAYER sworn and examined.

By Mr. VANCE:

Question. Where do you live?—Answer. I live in Petersburg, Va.

Q. Were you there on the day of election?—A. I was at the Fourth ward precinct on the day of the election, from the opening of the polls to the counting of the ballot.

Q. Did you see any disturbance there?—A. I did, generally all through the day.

Q. You saw disturbances all day, did you?—A. More or less. In the beginning of the morning, at the opening of the polls, the judges were announcing the polls being open, and the judge, or otherwise the conductor of the election, turned up the ballot-box on the inside of the house. I, as one of the electors, and a voter of that ward, called upon him as the judge of the election to come to the door and turn the ballot-box upside down, so the crowd outside could view it, but I raised no fuss, and one of the police officers walked up to me and says, "We are not going to have any of this in the start, in the morning." "If you are going to object," he says, "we will carry you to jail." I remarked to him, "I haven't done anything to be carried to jail for; we all have the right to see that ballot box before it is closed." It continued on, the polls were opened and we commenced to vote, the officer who challenged along during the day acting in the capacity of challenger at the election and an officer of the law. Later in the day, I suppose, as well as I recollect about 11 o'clock, the mayor of the town, everything there going along very quietly, no more than talking, no sign of disturbance; came up and demanded what kind of a row had been going on up at that polls. I told him nothing, everything was quiet. He said there in our presence he would read the riot law over, and said they proposed to have an honest, fair election or otherwise close the polls. We told him, "Mayor, you have no right to read the riot law here because we do not need it, and we all understand it, I reckon." He says, "We have got to have a fair election or I will read it," and I suppose for the benefit of the crowd he did go out and took the law and read it, I suppose, to some twenty-five or thirty men that stood around listening. I called upon him to know what was the duty of the police officer, and told him of the interference of this police officer in the morning and his threats to me, and demanded of him, as mayor of the town, to give him his instructions, if he was there as an officer to act in that capacity, if he was there as a challenger to act as that, and relieve him of one or the other.

The officer from that time up until about 2 o'clock in the day conducted himself very fair; no objection to be raised to him until that time—until about 2 o'clock. I suppose about that hour the chairman of the executive committee of the Coalition party of Petersburg came down to our polls. He was a resident of the Fifth ward, not a voter in our ward, but a voter in the Fifth ward, and one of the members of the common council. He came down, walked very boisterously up in front of our polls to that officer and demanded him to exercise and discharge his duties as he construed them; that he would stand by and protect him, and made his threats that he had stood before cannons and cannon-balls, and what he would do, and this thing and that, if anybody opened his mouth, or anybody said anything, I suppose for twenty minutes; no voting was going on all the time, and I called the attention of the judge of the election, which was Mr. Tally. Says I, "Mr. Judge, I call upon you as a citizen and an elector here to either order this man away

from this ground, or to order him to jail; he is interfering with the conduct of this election, and we don't propose to be interfered with," and he then gave the man orders; he is chairman of the executive committee, his name is Bowie. He gave him orders to leave the ground or go to jail; they were judges and knew their duties. He went off then. It went along very squarely then until evening, and I think a colored man, but I won't be positive, a colored man by the name of Eppes, as well as my recollection serves me, I may be wrong, came to the polls, and I don't suppose, certainly, for myself, I don't know what kind of a ballot he had or what way he was going to vote. He came up; they had a pole stretched from the curbing to the door, one side, had been polling that way all day, and that's the way we generally conduct the election—the whites walking up one side and the blacks up the other—and the judges take one ballot from the whites and then one from the colored. The colored man was walking up one side, and was in the act of handing the ballot to the judge, when, I think, as well as I can recollect—I think I am positive about this—when J. M. Holmes, a letter-carrier in Petersburg, was there acting in the capacity of a challenger in behalf of the Coalition party. When he started to hand the ballot to the judge, he says to this colored man, he says, "Is not your mother a colored woman, and is not your father a colored man?" and Mr. C. A. Johnson, one of our tobacconists in Petersburg, happened to be there, remarked to him, that is, to Holmes, he said, "Isn't your father black; what business have you to question this man?" He says, "he has a right to vote; let him vote to suit himself."

Just at that time General Mahone stepped up on the sidewalk and says "We want a fair election." There was some half a dozen spoke up and says that is what we want precisely, although what has that man got to do with questioning this man as to his parentage, and who his father and who his mother is. He says he came up as challenger of that side. At that time Butler Mahone leaped out of his phaeton, ran across the street, had his stick in his hand and I suppose about as big as my wrist, ran upon the sidewalk. I had not seen any intimation of anybody creating any disturbance at all, any more than that talking going on. He says, "If anybody hits my father," he says "he will die," and run his hand in his pocket and drew out, as well as I recollect, a five-shooter, and by the time the pistol cleared his pocket I smacked his hand and smacked the pistol on the ground. When I smacked the pistol on the ground, this Holmes, who was a colored man, started to pick it up and so did I and he started and as he gathered it in his hand, as the colored man did, says I, "Mr. Shelly, wring that pistol from that man's hand;" he did so, and threw the pistol above his head and says, "I have Mahone's pop," and the judge of the election says, "Give that pistol to me." He started to reach his hand, and as he did so, he was surged from the door by the crowd. One of the officers, or in other words the same officer who interfered with me in the morning or in my remarks to the judge, walked up to him and says, "Surrender that pistol." He says, "I will surrender it never until the chief of police, the proper officer, comes. When he comes I will surrender it." Mr. Shelly went across on the opposite side of the street, over to what we call the High street church and staid there until Captain Goodman, who was captain of the police, came by and he surrendered the pistol and said, "I will surrender you the pistol, but will require you to have this man brought up to the mayor's court," and it was done, and Mr. Butler Mahone was fined by the mayor \$15. He stated that he would give him the lowest fine, as near as I can recollect, that he would give him the

least fine, \$15. I think that was his decision as well as I can understand, and commended the colored people for their courage and conduct during the day of the election.

Q. If I understand, the only interference with a colored man's vote was by another colored man?—A. Yes, sir; that was this Matthew Holmes, I think that was his name, he was the challenger on that side, but I forgot to state that at the time he remarked to him, "You would not vote that ticket if your pockets were not stuffed with Democratic money," and started to run his finger and thumb down into the man's vest-pocket in that way [indicating], when he stepped off.

Q. Is that all that was said by anybody; did he make any reply to the fact that he had Democratic money in his pocket?—A. He says, "That I have not;" he remarked "I have got money, but" he says, "if I have got it what have you got to do with it. I have a right to vote as I please." I will state that during the excitement a colored man went across the street and after the excitement quieted down he walked back again and handed his ballot in and voted.

Q. He did not vote at that time?—A. No, sir; he went across the street.

Q. Did anybody else say anything when this challenger accused him of having money?—A. I cannot be positive as to that, any more than I have stated in the evidence.

Q. What remark did General Mahone make at any time except what you have already stated?—A. Oh, General Mahone, at the time that Butler Mahone drew his pistol, threw his hand behind him in that direction [indicating], as if he was going for his pocket, and I think a gentleman, as well as I recollect, was Mr. Sandifer—from the excitement going on a crowd had gathered around him, surged up—and General Mahone claimed at the time being struck, and said he would give \$100 to find the man that struck him. Afterwards there was a communication in the paper signed by our citizens which was commenced, "The striking of General Mahone," published in the paper, a communication denying the fact, and since then I have heard nothing about it.

Q. Was anybody threatening any violence to General Mahone that caused Butler to draw his pistol?—A. No, sir; not that I could understand, no more than everybody fully agreed with him when he said, "Have a fair election, that is exactly what we want, and why does that man interfere with this man when he wants to vote?" That is the only remark I heard.

Q. Well, so far as you know was that the only offer of violence anywhere in the city that day?—A. That was the only polls I visited during the day. I was a resident of that ward.

Q. I asked you as far as you knew if there were any other acts of violence occurring in Petersburg that day?—A. No, sir; not so far as I know.

Q. There was an apprehension there when this colloquy began that there might be some disturbance, was there not?—A. There was an apprehension?

Q. Yes, a fear?—A. There was not until Butler Mahone drew his pistol, which was the first intimation I had of any disturbance.

By the CHAIRMAN:

Q. Who went on to the ground first, Butler or his father?—A. His father.

Q. Did he hear what his father said, do you know?—A. Butler, as I stated, was across the street in the phaeton. I do not know whether

he heard what his father said or not. I could not tell you whether he did or not.

Q. Had his father been assailed?—A. No, sir.

Q. Well, you heard Mr. Mahone say that he would have a fair election?—A. That was fully agreed in by all parties there.

Q. Well, he said that to secure a fair election?—A. Yes, sir—no, sir; I do not say he was trying to secure a fair election. I don't know, because I have my views about his being there to secure a fair election.

Q. I did not ask that. He stated "We will have a fair election."—A. Just ask me the questions and I will answer, but don't put the answer in my mouth.

Q. Well, on the whole day we will close with that.

The subcommittee adjourned until Monday, April 14.

WASHINGTON, D. C., *Monday, April 14, 1884.*

The committee met pursuant to adjournment.

WILLIAM T. WOOLFOLK sworn and examined.

By Mr. VANCE :

Question. Where do you reside?—Answer. I reside in Orange County, State of Virginia.

Q. What is your occupation?—A. I am a physician.

Q. Where were you on the day of the election, last November?—A. I was at our precinct, Woolfolk precinct, in the county of Orange.

Q. Did you see any intimidation of voters that day?—A. Yes, sir.

Q. Who was it by, and what was it?—A. It was by the colored people. They came organized in a company, with a captain at the head in a uniform and a saber by his side. I think there were between fifty and sixty, as well as I can tell; I didn't count, and about two-thirds or three-fourths of them had fire-arms; the balance of them had clubs. They marched up to the polls and surrounded the window through which the ballots were handed to the officer of the election. They held possession of that all day long. The parties who had to vote, other than their party, had to go into the house to vote. They placed a sentinel on one side of the window with pen, ink, and paper to take down the names of every person who voted, and if a man went up to hand his ballot in, the first thing that was done this ballot was taken out of his hand by these parties standing by the window, and if it was a Democratic ticket it was torn in two, and another ticket handed to him.

Q. Who was that that stood by the window?—A. His name was Robert Towns.

Q. Was he a white man or a colored man?—A. A colored man.

Q. Was he a poll leader, and did he have any authority in the matter?—A. No, sir.

Q. Did he take the ballots from anybody except colored men?—A. No, sir.

Q. He would make a colored man who went to vote hand him his ballot to look at?—A. Yes, sir; when they went to hand the ballot in he would take it out of his hand. For instance, if a man walked up to hand his ballot to the judge of election, when he reached it out this man took it out of his hand and opened it, and if it was a Readjuster ticket it was taken, and if it was a Democratic ticket, it was torn up, and another handed to him.

Q. Did the colored people submit to that?—A. Yes, sir. Some of

the colored people went around to the door to go in to vote where they could vote without being molested. I recollect seeing one man voting, by the name of Mr. Brooks. He started in the door following a gentleman who had gone to him to see if he had got his vote in. The cry was "Catch him, stop him," and they laid violent hands on him, and held the old man back; and he told them, "Let me go." He said, "You shall not go in there to vote the Democratic ticket." He said, "I am a free man, and I shall vote as I please." This colored man says, "No, sir; you can't vote the Democratic ticket, you go back." He said, "No man shall vote that ticket whose name is on our list." He says, "My name is not on anybody's list." Well, he still held him.

Q. Had his hands upon him then?—A. Had his hands upon him and held him back. This colored man's name was Stewart Williams. I said, "Stewart, it is a very serious matter for you to hinder a man from voting; you will be liable to prosecution." He says, "I'll be damned if any man shall vote the Democratic ticket if his name is on our list." About that time a colored man named Minor Burr stepped up and said, "Stewart, let him go; his name is not on our list." He then let him go. Also—I don't know whether you will allow this as testimony; it is what a colored man told me in regard to his not voting the Democratic ticket.

Q. Yes; we receive that.—A. I was called to see a patient one night, a colored man. Knowing he had been in the habit of voting the Democratic ticket, I says, "Dabney—

The CHAIRMAN. Do you want to go into this kind of testimony—what a negro man said to him off in another county?

Mr. VANCE. Yes.

The CHAIRMAN. Then I simply enter an objection against all testimony about matters not in any way connected with this investigation, as this manifestly is.

Mr. VANCE. I am following the example that has been set me. The testimony is full of just such expressions.

The CHAIRMAN. Oh, no. Why certainly if we had gone into all the votes at all the polls in Virginia we might as well prolong our lives ten years.

Mr. VANCE. Of course you recollect the testimony of Mr. Fowler.

The CHAIRMAN. Fowler; no.

Mr. VANCE. That gentleman who testified about the violence of the Democrats at Bristol and various other places in Virginia. I was just following the example.

The CHAIRMAN. I do not remember. Neither Judge Lapham nor I remember any such case—going into such testimony. However, I want to be lenient. I simply enter my protest against it, and will not pursue it. I have no recollection of going into any controversy outside of Danville.

Mr. VANCE. I have the testimony of Mr. Fowler here before me, if there is any doubt about it.

The CHAIRMAN. What page is it on?

Mr. VANCE. Six hundred and seventy-four. The whole testimony of Mr. Fowler—

The CHAIRMAN. That was simply to show the effect of the news of the riot of Danville upon the election.

Mr. VANCE. On page 678, if you please:

Q. Were there any demonstrations or violence on the part of the whites anterior to or on the day of election?—A. I can only tell you what occurred there that day. I considered it violence; I considered my life in danger on that occasion all day.

Q. Tell the facts.

And then he goes on to tell about the Democrats getting up a row.

The CHAIRMAN. That was the influence of the news from Danville. That is shown on page 675. However, Judge Lapham and I have made up our minds to let you go on about any matters in the State of Virginia, if it is about a cock fight, or a bull fight, or anything else; but we simply want to enter our protest. If Judge Lapham laid the foundation for any such testimony as this, about going into everything that occurred in Virginia, I have not seen any such evidence of it.

Mr. VANCE. I have the evidence before me; and I find, moreover, that I objected to it. We have just reversed positions, precisely.

The CHAIRMAN. This evidence relates to the effect of the news of the riot at Danville upon the election.

Mr. VANCE. It affects the question of intimidation.

The CHAIRMAN. If it was to prove intimidation in this remote county, I should say clearly it would be beyond our jurisdiction.

Mr. VANCE. I would agree with you if we were starting out originally that it was entirely beyond our jurisdiction; but, after you brought out so much that was irrelevant, I think I am entitled to follow your example.

The CHAIRMAN. Well, we simply object to it, and disapprove of the matter. I was not present, at the same time I think it too remote even for that testimony to be given; still it does follow in connection with the case of the riot at Danville.

Mr. VANCE. Now, suppose the effect of the riot at Danville, and the circular issued to the colored men to turn out and avenge the murder of their colored brethren was to make them take possession of the polls, as this witness said they did, and refused to let any man vote the Democratic ticket, of course, that is competent, unless we are forbidden to take testimony on both sides.

The CHAIRMAN. Well, you can go on.

By Mr. VANCE:

Q. What did the colored man tell you about his interference with him, about his' right to vote?—A. Knowing he was in the habit of voting the Democratic ticket, I asked him if he was going vote the Democratic ticket this time. He said no; they had come to his house and taken his name down, and said to him they had passed a law that if any colored man voted the Democratic ticket, he was to be driven out of the county—lynched and driven out of the county. I said to him, "Why, Debney, you know very well, these parties would be liable to prosecution for anything of that sort, and would be prosecuted." "But" he says, "you can't find them out." But finally he said to me, "I have been in the habit of voting the Democratic ticket, and if I can vote that ticket without their finding it out, I shall do it." And he is one of the parties whose ticket was taken from him at the window and torn in two.

Q. How many did you see served in that way; do you remember?—A. No, sir; I can't, but a good many were.

Q. Where were the judges of the election, and the white men that they did not interfere with that kind of treatment?—A. Well, sir, the judges of the election were in the house. When that company marched up there was a good deal of excitement among the whites. I went to them and said: "Gentlemen, I want you all to be quiet to-day as possible. The colored people have come here evidently for the purpose of creating a disturbance, and I want you all to have nothing to do with them whatever; and if a colored man comes and wants to vote the

Democratic ticket, you see that he puts in a ballot, but don't have anything more to do with them whatever, not even to talk with them; and I think it was owing to that fact that we did not have a riot in the place.

Q. Was that a regularly organized company of militia, or voluntary?—A. Voluntary.

Q. There were fifty or sixty of them in uniform, and with a captain?—A. Yes; a captain with a saber at his side.

Q. A large portion of them had arms?—A. Yes, sir.

Q. And those that did not bear arms had clubs?—A. Clubs, spokes of a wagon wheel, the great majority of them; I could not see every solitary man.

Q. Was that a colored precinct?—A. Not very great majority; not a great deal of difference.

Q. Very close between the whites and blacks?—A. Yes, sir.

Q. Do you know anything of ostracism socially towards blacks for voting the Democratic ticket?—A. Yes, sir.

Q. Socially, I mean.—A. In our county they have turned a great many out of the church for voting the Democratic ticket. An old colored man that lives on my place came to me the day after the election and told me they were going to burn his house down. He says, "The house is on your place, what will I do?" I said, "You just observe the names of the parties, and if your house is burned we will hold them accountable for it."

By Mr. LAPHAM:

Q. The house has not been burned?—A. No, sir; the house has not been burned.

Q. Did you see any white men armed election day?—A. Well, there may have been a few there that came from hunting.

Q. "May have been?" Did you see any?—A. Yes, sir; there was. I know of two myself.

Q. Were you armed?—A. One was Mr. Harlow.

Q. Were you armed?—A. No, sir, I was not.

Q. That answers.—A. Mr. Harlow was there with his gun. He had been turkey hunting that morning, and got there late in the day.

Q. Was the validity of that election ever contested?—A. No.

WILLIAM F. RHEA sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside in Washington County, Virginia; at Goodson.

Q. Where were you on the day of election?—A. I was at Goodson precinct.

Q. Mr. Fowler has been before this committee and testified to some disorders and disturbances that occurred there on the day of the election. Have you seen his testimony?—A. I saw it at the time it was published in the paper. I have not seen the official testimony; no, sir.

Q. He says as follows:

A. The polling-place was in what we call the new town hall, one window.

A. That is right, sir.

Q. (Reading:)

I was there very early on the ground; I was designated by our friends, a number of them at least, to go to the window and challenge any votes that ought to be challenged. I found both sides of the window taken possession of by leaders on the Dem-

ocratic side, and I had to stand behind them in order to overlook to challenge. I did challenge some 5 or 6 votes during the day, and it gave rise to very insulting language from some of the Democrats towards me on each occasion; and at about 11 or 12 o'clock, as I can best remember, there came in a regular procession with a wagon at its head, the wagon loaded with men and followed by mounted men, I should say somewhere from fifty to seventy-five men in a solid body, and marching in regular procession, yelling, screaming, and shouting, with a white flag emblazoned "Kelly and Trigg, the white man's candidates," which was spread out and carried in front above the heads of everybody. They were yelling and hallooing all they could, and the excitement was tremendous. I have never seen anything like it.

Did you see that scene at the window, and this procession, and so on; give your version of that, will you?—A. I was there all day from early in the morning until the close of the polls. In the morning the Democratic challenger was at one window, and Mr. Fowler was there, I don't remember how early in the morning, but soon in the day. The Democratic challenger left the window, and Mr. Fowler took his position, and stood in the window nearly all day, with his arm right up in the window to challenge the voters as they came up. I never heard any abuse at all from any Democrat on account of the challenging of any votes. As to the procession, I think there were about thirty or forty men perhaps came up on horseback that day, but as to the yelling and screaming I don't remember of hearing that at all. There was some excitement, it is true. It was as quiet an election as I ever saw, I believe. There was no difficulty at all that day—something very unusual for that place. There was more excitement than I ever saw, I believe, but there was no violent demonstration of any sort.

Q. Were any arms displayed?—A. None, sir, that I saw; not a one that day; and there was the largest vote polled there that day that ever had been polled, colored vote and white vote. The colored men voted without any—

Q. Was there any intimidation, so far as you could see?—A. None whatever; they went up and voted just like the white people did; no violence used at all.

Q. Who were the judges of the election?—A. Mr. Rader and Mr. Kebler, and Mr. McNeal, I believe.

Q. What were their politics?—A. One was a Republican and two were Democrats, I believe.

Q. Were either of them Coalitionists?—A. One was a Coalitionist, and the other two were Democrats.

Q. Were they men of character?—A. Yes, sir; good men.

Q. You heard no intimation of fraud on their part that day?—A. None at all. Mr. Fowler speaks there of being assaulted, I believe, on that day.

Q. I was looking for it. Did you make a speech that day?—A. Yes, sir; I did.

Q. You are credited here, in Mr. Fowler's testimony, with being very violent in your speech.—A. Well, sir, I don't know about that. We received a telegram that morning from the secretary of the Democratic State committee. I was a member of that committee. The telegram stated that Mahone's people, in Eastern Virginia, had issued a circular appealing to the negroes to avenge, by their ballots, the death of the colored men in Danville. I received that telegram that morning (or, at least, Colonel Fulkerson did), and I read it, and that got up some little discussion between Mr. Wood and myself, and also Mr. Fowler.

Q. Was there any violence?—A. None whatever.

Q. In your speaking, did you countenance or encourage or advise any kind of intimidation or interference with the ballot?—A. None what-

ever. I simply said (this was the strongest expression that I used, perhaps) that we were not responsible for drawing the color line; that Mahone had done it, and we intended to accept the issue.

Q. Accept the issue?—A. Accept the issue; and that as he appealed to the negroes to avenge, by their ballots, the death of the colored men of Danville, at the hands of the Bourbon mob, to use the language of it, why then that I should appeal to the white men to accept that issue and avenge, by their ballots, the death of the white men in Danville at the hands of the negro mob.

Q. Did you make any attempt to assault Mr. Wood?—A. None whatever.

Q. He says—

He swung—somebody said he rubbed—against me, which I understood to be a sort of a physical challenge of some sort; and it was, certainly.

Did you make any demonstration whatever towards him?—A. None whatever.

Q. Did you see him assaulted by any other Democrat during the day?—No, sir, I did not; and if he had been I think I would have known it, for I was there all day and I heard nothing of it. No person was assaulted on the ground; it was as quiet an election—there was a good deal of excitement.

Q. He says he was assaulted several times—

On one occasion I was saved by a Readjuster constable. The second time the town sergeant and the deputy sheriff, both of whom were Democrats, saved me.

A. All that I know about that is, that that officer has denied it.

Q. You did not see it? You can only speak of what you saw?—A. I did not see it. No, sir; I saw nothing of the kind.

Q. Did the colored people vote solidly the Coalition ticket there?—A. Yes, sir; voted solidly, with the exception of three or four. There is one old colored man there that always votes the Democratic ticket, and two others, I think, that do; three, perhaps, voted.

Q. Out of a total of how many colored votes?—A. There was about 600 votes polled all together, and I think the colored people polled perhaps 150, or may be more.

Q. And there was not more than three or four out of that number?—A. Three or four out of that number, and they voted without being solicited to do so; they always do it.

Q. Did you see or hear any attempt to prevent them voting the Democratic ticket?—A. None, sir, in the world, that I know of.

Q. They were not interrupted on either side?—A. Do you mean the colored people?

Q. Yes.—A. Well, I didn't see anything of that sort. I only heard of one old colored man.

Q. Have you heard any colored man say that he was interfered with?—A. I didn't hear him myself, but I—

Q. Well, then, that is not testimony.—A. The colored people polled a larger vote there than they ever did before, without any interruption at all, that I saw.

Q. Was what is called the Danville circular circulated in your county?—A. Well, it was to some extent. I was in the back part of the district at the time the circular was issued. I suppose it was on Saturday before the election. I believe I did not get back until Monday.

Q. What was the effect of its circulation?—A. Well, I think the only

effect it had, if any, was perhaps to bring out a larger vote to the polls. It might have—I don't know that the effect of it was to consolidate the white people much more than they were at the time, because I think they were pretty well consolidated any way in that country.

Q. Pretty well consolidated any way?—A. Yes, sir.

Q. Did the news of the Danville riot have much effect upon your people?—A. Well, sir, I don't know. It did some; I could not say how much.

Q. Did it have the effect to intimidate the colored people?—A. None at all, that I saw.

Q. Do you know whether by that telegram, of which you have spoken, that this appeal to the colored people to turn out and avenge their brethren at Danville, was circulated among them in your country?—A. No, sir; I do not.

Q. Did you see any such appeal circulated?—A. No, sir; not in that country. The telegram said it was circulated in the eastern part where there are a great many negroes.

Q. But it was not circulated in your part that you saw?—A. No, sir.

By Mr. LAPHAM:

Q. You don't know that Mr. Mahone issued any such circular, do you?—A. No, sir; I do not.

Q. Have you not learned to your satisfaction that it was issued by the Democrats?—A. No, sir; I haven't.

Q. You don't know how the fact is then?—A. No, sir; I do not.

Q. You say this was a very exciting election?—A. No, sir; I said there was a good deal of excitement.

Q. Well, what caused it?—A. I don't know.

Q. Do you not know that it was the Danville riot?—A. No, sir; I do not.

Q. When did the news of the Danville riot reach you?—A. I think it was on—well, it did not reach me until Monday, just the day before the election. I was in the back counties—

Q. You said that you said in your speech that if Mahone had authorized the avenging of the killing of colored men, you advised the whites to avenge the killing of the white men?—A. Yes; I advised them to accept the issue.

Q. What report was there about the killing of white men?—A. What report was there?

Q. Yes; what report from Danville?—A. Well, the report was that they had a collision there between the colored people and the white people.

Q. What was the report about the killing of white men?—A. Well, I don't know. The report was that they had a collision, and there was killing on both sides.

Q. And you believed that white men were killed?—A. Yes; I think they were.

Q. You would not have said that in your speech if you had not believed it, would you?—A. No, sir; I don't suppose I would.

Q. You said you believed it was true that colored men had killed white men?—A. Yes, sir; I suppose I believed it at the time. I don't remember exactly now.

Q. I think you said you saw no white people armed that day?—A. No, sir.

Q. You were not armed?—A. No, sir.

A. M. FULKERSON sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside in Washington County, Virginia, at Goodson.

Q. You were a former member of Congress from that district, the last Congress?—A. Yes, sir.

Q. Were you at Goodson on the day of the election?—A. Yes, sir.

Q. Will you please give us an account of what kind of an election it was with reference to order, propriety, &c.?—A. Well, I think the general good order was preserved during the day throughout; I think there were less personal difficulties there than usual. There was a great deal of excitement, it is true, on both sides, which I suppose was the cause of less personal difficulty than usual. I thought so because of the general excited feeling among the people of both parties. But I do not think I was on the ground; the voting place was within 20 or 30 yards of my office and close to my house. I was there early in the morning and on the ground pretty much all day. My office fronts very nearly opposite, of the opposite side of the street to the voting place.

Q. Did you see that procession that has been spoken of?—A. Yes; I saw that procession. I saw another procession; there were two. The Coalitionists brought in the first, I think; 19 or 20 men, who came in on the train, were assembled at Wallace's Switch, I understand, 6 miles above our town. They marched in, marched up to the polls and voted. There was a great deal of cheering on their side when they came in, but no disturbance whatever.

Q. Just a partisan feeling—hurrahing?—A. That is all, and to make some impression by bringing in a large number of voters at the same time. After that there was a procession came in from the country on horseback—Democrats. When they made their appearance there was very great cheering again. They hitched their horses, marched to the polls and voted, and mixed with the crowd, and there was no disturbance whatever on that account.

Q. Was that procession headed by a wagon?—A. Well, I don't think it was. I think there was a wagon came in about the same time. But the larger number of these people, all of them, indeed, I think, told me that the wagon came up about that time had a party flag. That created some cheering also, but no disturbance whatever.

Q. You say, certainly, there was a flag?—A. I think they had a flag; that is very usual, very common down in our country at an election when there is any excitement, for each party to have a flag.

Q. Now, did you hear the speech of Judge Rhea, and the reply of Mr. Fowler?—A. Well, I heard Judge Rhea, part of his speech. I did not pay particular attention to it; but I don't think Mr. Fowler replied to it exactly. Mr. Wood made some reply, and Mr. Fowler took the stand, but I don't know what he said. I did not hear his remarks, except he said, I think, when he first got up he said, "Here is your Pewee." I think that is a nick-name we have for them down there; and when he got down there in the block in front of the voting place, he said, "Here is your Pewee," and something else; and that created a good deal of merriment and amusement in the crowd.

Q. Mr. Fowler said that?—A. Yes; that is my recollection. Well, he did not speak very much; I don't think but a minute or two.

Q. Did you hear anything in Judge Rhea's speech calculated to excite a breach of the peace, or any violence, or anything of the kind?—A. No, sir; I did not.

Q. It was an ordinary partisan speech?—A. Yes, sir; a characteristic speech, I reckon, of an occasion like that.

Q. Well, did you see anything about the polls of Democrats seizing the polls to prevent a Republican-Coalition challengers, and so on?—A. No, sir; there was nothing of that kind occurred. I believe I came out of my office before the polls were opened, and soon after the polls were opened the colored people came in and voted in pretty considerable numbers. They usually vote early, I think, there at that precinct. Most of them are laborers, and they do not stay about the polls generally all day. Some of them do. They voted early that morning, and really they had possession of the polls in this way, that they came up in a crowd, not intentionally taking possession of the polls; but I saw a good many white men there that wanted to vote and could not do so for a while, because they were there first, and holding them. But there was no complaint about that. I was passing back and forth all day, and saw the polls. There was no taking possession of the polls at any time during the day, and I am prepared to say it.

Q. By either side?—A. By either side. I saw Mr. Fowler there; he was a challenger for the Coalition party; sometimes he was in the window, and sometimes by the side of it; that is, the window in which they voted; sometimes in the way of voters, very noisy, and very fussy, challenging there, and quarreling with this person and that. He is rather disposed to be contentious on occasions like that—not abusing anybody particularly, but noisy. He had access to the window all day, except when he would go out after some voter, as I saw him do several times, to bring him in at the polls, and the crowd would get up close to the window to vote, and, possibly, he could not get back for a few minutes.

Q. Much testimony has been given here about the effect of that Danville riot. What effect do you think it had upon the election at your place and upon election in the State of Virginia?—A. I think it had the effect of bringing out a larger colored vote than ever voted in the State of Virginia. It is true there had been a great effort to bring out that vote; the party relied upon that vote, and there was a great effort to bring it out anyhow. There was a great effort made throughout the State to array the colored men against the whites. The trouble at Danville, instead of intimidating the colored people in my section of country, as far as I know, brought them all out. I think, to some extent, it had a like effect upon the whites. They were excited; they had accepted the race issue, and there was a great deal of feeling. When this occurrence was telegraphed I think it had the effect of bringing out a larger white vote than would have otherwise voted; and I think it had the effect of bringing out a larger colored vote than would have otherwise voted.

Q. Did that Danville riot cause the defeat of the Coalition party in Virginia?—A. No, indeed; I have no idea—I think it really strengthened it in the way I tell you. The theory of that canvass, so far as I know (I was a member of the State executive committee)—the theory of the party led by General Mahone—I know his views on the subject, and the mode in which he conducted the canvass. My understanding of it was that for that party to win it was absolutely necessary to consolidate the negro vote and divide the white vote. That was the theory of the canvass.

Q. Who is responsible, according to your knowledge of the facts, for the raising of the race issue in the State of Virginia in the last election?—A. The race issue has been an issue more or less in Virginia

ever since the war, and will be, I suppose, until the colored people, if they ever, are qualified to control, then it might be dropped. In this last canvass, at the Lynchburg convention of the Democratic party, I was a member of the convention; I was on the committee on resolutions, and I insisted then that the color line should be drawn by the party in the convention, for the reason that it was already drawn on the other side to my knowledge, and that unless it was drawn the colored vote would be voted solid, the white vote divided, and the State would be turned over to the control of the colored people in Virginia. I insisted upon the party raising the issue there. I was overruled. The party thought it would be wrong then; thought it would be possibly unwise to do so, and the measure did not prevail. Afterwards it became perfectly apparent to everybody, I suppose, that that was the issue being forced by the other side, and it was gradually accepted; first in the white districts and then by the white people in the black belt, as it is called, and all over the State, accepted the issue forced upon them; and the result was that the white people were brought together, and more of them brought to the polls by reason of that, I believe, than anything else. I don't believe the Danville matter had any great influence in the election, except it might have brought out a few, may have determined a few more on both sides just a day or two before the election.

Q. Is there anything else about the election in your part of the State that you wish to speak about to the committee?—A. No, sir; nothing that I know of, I believe. I have read the statement of Mr. Fowler's testimony in the papers; I have never seen an official statement of it. Mr. Fowler is reported as having sworn here that he was assaulted two or three times during the day of election. That is certainly a mistake. He was not assaulted during the whole day. He had some difficulty about the close of the election. There was a man, a Tennessean by the name of Larimer. This committee may not know that our town is immediately on the State line.

Q. Yes; that has been explained to us.—A. There was a good many Tennesseans there on that day at the polls; they always come there on election day. This man had been drinking, and they got into some controversy, some little difficulty about the time—it was cloudy—as to when the sun set. Our polls close under the law in Virginia at sunset, and Mr. Fowler stated that he would go up on the street and get the correct time, and Mr. Larimer, as I understood that part of it, said he had better take some of their side along to see that he got the correct time, and they got into some words about that. Mr. Larimer, however, did not strike him or offer to strike him. That was the nearest approach to a personal difficulty that occurred during the day. Some of the officers told Mr. Larimer not to get into any difficulty; that they did not want any difficulty on the day of the election. He did not take hold of him. I heard part of that myself. That was the only thing, I think, that occurred of anything like a personal difficulty between Mr. Fowler and any one.

Q. Did you see any intimidation or effort at intimidation of voters at all that day?—A. I did not see any at all, sir. Everybody voted that wanted to vote, without let or hinderance, so far as I know, and I saw them all day long, colored men as well as white. There was no effort whatever made at intimidation that I saw. We have an old colored man by the name of Henry Johnson in town who has voted the Democratic ticket since the war. I was informed that day that he was afraid to come to the polls for fear of violence from the colored people, because he was going to vote the Democratic ticket, and I asked Mr. Lindsey to

go and take somebody else upon the street and to go bring him down, and see that he voted, and to protect him from any violence that might be offered; and they did bring him down, and he voted. It is hardly proper for me, I suppose, to state what Henry Johnson said about it.

Q. Oh, no.

By Mr. LAPHAM:

Q. How much of the day was Mr. Fowler in your sight?—A. Well, sir, very nearly all day.

Q. What were you doing?—A. I was in the crowd in front of my office; in the crowd, generally around among the people.

Q. All day?—A. All day, until dinner——

Q. Do you mean to say that you had Mr. Fowler in your eye all day?—A. Well, I was at the polls; I mean to say mostly.

Q. Do you mean to say you had him in your eye all day?—A. Oh, I don't mean to say that I saw him all day.

Q. Then, do you mean to swear that he was not assaulted, or that you did not see him assaulted?—A. Well, I did not hear it.

Q. That is all you mean to say—that you did not see it?—A. I did not see it, and I did not hear it, and I would have heard of it.

Q. I do not ask that; that is not testimony. When did the report of the Danville riot reach there?—A. I think it was Saturday.

Q. The report was that white men were killed by negroes, was it not?—A. I think not exactly; my recollection is—I will explain that exactly——

Q. Was there not a report that white men had been shot or killed by negroes?—A. The report was, as I recollect it (I have not seen it or heard it for a long time), is this: That there had been a riot; that three or four negroes had been killed; that two white men had been shot, one fatally, probably, or something of that kind.

Q. Very well, that is equivalent to it. Now did not you hear Judge Rhea say that day that if the Readjusters or colored people were going to be called on to retaliate for the killing of their people, he advised the white men to retaliate for the shooting of white men by negroes? Did you not hear that?—A. Well, I don't know that I heard him state that.

Q. He has just sworn here that he said it.—A. I know that.

Q. I want to see how attentive you were to what was going on that day.—A. There were various and sundry things going on besides speaking.

Q. Did you hear him say that?—A. No, sir; I do not think I did.

Q. You do not doubt he said it?—A. No, sir; I do not, of course.

Q. Well, there were some things that occurred that day that you did not hear?—A. Of course I could not be all over.

Q. I want to break the force of your denial that Mr. Fowler was assaulted.—A. Well, I deny it so far as I saw.

Q. Exactly; you deny it so far as you saw it?—A. Certainly; I heard nothing of it, or any other difficulty that day, and I can swear positively that I don't think it could possibly have occurred without my knowing it.

By the CHAIRMAN:

Q. What is the distance from Bristol to Danville?—A. It is 204 miles to Lynchburg. If some one will tell me the distance from there to Danville——

Mr. BERKLEY. It is 67 miles from Lynchburg to Danville.

The WITNESS. Well, it is 204 from Lynchburg to my town.

C. F. TRIGG sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside at Abingdon, Washington County, Virginia.

Q. What is your occupation?—A. I am a lawyer by profession.

Q. Are you a member of the legislature at present?—A. No, sir; that is a brother of mine.

Q. Where were you on the day of the election?—A. I was at Abingdon, the county seat of my county.

Q. Previous to the election had you been circulating around through the adjoining counties?—A. Yes; I took a very active part in the canvass as one of the Democratic canvassers, more particularly in the counties off the line of railroad, the counties of Russell and Wise.

Q. Will you give us your opinion as to whether the Danville riot caused the defeat of the Coalition party in Virginia?—A. I don't think it did. I can speak of course more certainly of that part of the State in which I was engaged in the canvass. The county of Russell, which I canvassed pretty extensively, was a Coalition county, which gave a very large majority in the last election for the Coalition candidate for the legislature; and, so far as the riot itself is concerned, I doubt very much if in the majority of the precincts in that county the riot was known at all until after the election was over. I closed the canvass, so far as I was concerned, in Russell County on Saturday, making a speech on Saturday evening and getting home Sunday previous to the election, which occurred on Tuesday; and I did not hear of the Danville riot until I reached home.

Q. Until you reached home on Sunday?—A. Until I reached home. That tier of counties back there have always given the largest white majority of any portion of the southwest of the State. There are a very few negroes in those counties, and I am sure that the riot nor any news that they could have gotten there did not affect the white vote in that section.

Q. The majority of those counties are Coalition, are they?—A. They have been, and the majority of them, I believe, though some of them gave very close votes, gave the Coalition vote in the last election. Russell, I know, gave an overwhelming vote for the Coalition ticket.

Q. What have you to say about the drawing of the race issue in the last canvass, and who did it?—A. Well, sir, I have never had any other opinion about that, but that the Mahone party or the Coalition party, as I call it, was responsible for that. I was a member of the Lynchburg convention, where the platform of the party was promulgated. I know the matter was spoken of there, and the great majority of the representative Democrats in that convention opposed drawing the race issue. Those who favored it favored it upon the idea that it had already been drawn by the opposition. I know myself the town that I live in there is a considerable negro vote. We vote at that precinct about 700 votes in all, and about 250 negro votes. I know that previous to the Lynchburg convention, and all the way down, that the negroes were constantly called together in separate meetings from the white people, and addressed by these people, who advised them to stand together in a body; that that was their only salvation; that they would go back into slavery; more particularly their schools would be taken away from them. I don't know much about it personally about this appeal to them about going back into slavery; but I know it was a very common idea among

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them that their schools would be closed, if they were not held together themselves, and voted with the Mahone party.

Q. They had that idea, wherever they got it?—A. Wherever they got it. I know the fact further in that particular, that it is very difficult for a colored man to be a Democrat in my section of the country. We have several Democrats there. I do not know of any personal difficulties that they had; but I have been informed by them in person that they had been advised not to vote with the Democratic ticket, and that perhaps some violence would be used if they did, though nothing was ever attempted within my knowledge.

Q. What kind of an election did you have in Abingdon on that day, orderly?—A. I think it was as quiet an election as I ever witnessed. I took great interest in the election; I was on the street most of the day myself; in fact nearly all the day, except the time I retired to get my dinner. I was chairman of the Democratic party in the county, and that caused me to take an unusual interest in it. The negroes voted almost solidly, with the exception I will say—I don't know personally—of but three negroes that voted the Democratic ticket. The balance, about 250, voted solidly, without let or hindrance, the other ticket. Those who voted the Democratic ticket were very much jeered and laughed at by their own race for having done so, but it had no effect, of course. I wish to state this further: there was a larger vote polled—I have heard some comments made upon that—there was a larger vote polled in the last election. I think that was altogether due to the organization of the Democratic party. It was much more thoroughly organized in the last election than it ever has been, in my opinion, and I speak from some experience on the subject, having been a member of the State committee for several years preceding the last year.

Q. What I want to know is, did the colored people poll their full strength?—A. Yes, sir.

Q. As great a vote as they had ever polled?—A. Yes, sir; and I thought a little larger than they had ever polled in my place. I did not think I ever saw so many negroes out at an election in the place in my life as I saw at the last election, and electioneering as they had always done among their own race, without any interference on the part of the whites, receiving the votes of one another, or sometimes soliciting white people to vote with them.

By Mr. LAPHAM:

Q. How far are you from Danville?—A. I suppose in an air line from Danville, I live about 175 miles.

Q. I do not speak about an air line.—A. I am 185 miles from Lynchburg; that would be the route to Danville; and from there some gentlemen said 67 miles. I don't know the distance.

Q. Something over 200 miles?—A. Yes, sir.

Mr. LAPHAM. Of course all this testimony is under the objection Senator Sherman made.

Mr. VANCE. Oh, yes.

ISAAC CHRISTIAN sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I live in the county of Charles City, Virginia.

Q. That is near Richmond, is it not?—A. Yes, sir; below Richmond, on the Peninsula.

Q. What position do you hold in the county?—A. I hold none now. I was the judge of the county court of Charles City and New Kent up to the time of the coming of the Readjusters in power there.

Q. Were you a candidate for any position in the last election?—A. Yes, sir; I was the nominee of the Democratic party in the thirty-eighth senatorial district, composed of the counties of Charles City, New Kent, York, Elizabeth City, and the county of King William.

Q. Now, will you tell us if you had any race issue there, and if so, who made it, and so on?—A. No, sir; there was a very large vote polled on the Peninsula, larger than has ever been polled there. There was a very great effort on both sides to get all the votes they could get, but a great deal of good feeling and jollity, unusually so. We had one fight just preceding the election at a place called Roxbury, which has been reported to the country as a murderous fight, where nobody was hurt. The fight occurred between the straightout Republicans, the sons of Mr. Tinsley, who was running as a straightout Republican—not the nominee of the party, however—his sons were engaged in a fisticuff in a store. One of the Tinsleys knocked down two or three colored men, and they ran on him. There was a very great effort to stop them. It was at a Readjuster meeting; I had been invited to speak, and had made a jolly speech with no politics in it, and there was a good feeling. As I came from the stand the fight commenced between these parties, and during this scuffle a colored man was struck on the head, some said with a weight, others said it was done with the hand. However, the fight was broken up by a very determined effort of the Democratic white men present, and two or three colored men. There was no political significance in it at all, except there was bad blood between the Readjuster party and the Republican straightouts. As between the Democrats and the Readjusters, or the Democrats and Republicans, there was no feeling whatever. We had a great deal of electioneering, of course. There were a number of barbecues at which the Republicans attended, and Democrats, all together. The Democrats gave the barbecues generally, but where there was a Readjuster meeting I was invariably asked to speak, as a Democratic candidate, and a very good feeling prevailed.

Q. Did you have any of the race issue there?—A. None whatever. There were quite a number of white Democrats who voted the Readjuster ticket, though the number was very few compared to what it had been. Now, some Republicans—in fact most of the white Republicans—voted for me for the senate; that is, a number of them did. They voted for the Straightout candidate generally, but I received several votes of the most prominent and influential Republicans of my county, I know.

Q. When did you get the news of the Danville riot?—A. It was hardly known down there until after the election was over. It had no influence there, however. What had considerable influence there was the decision of the Supreme Court of the United States on the civil rights bill; that was used by the colored orators with great power and great influence. I thought I would carry the district until that occurred, and then it was preached everywhere that the United States Government had gone back on them. The colored people were told by their orators that the Government had gone back on them; that the Supreme Court had decided against them, and their only hope was the election of the Mahone candidate and his party. That had tremendous influence, but the Danville matter had no influence whatever. In fact it occurred only a few days before the election, and our people were thinking about other things. They had had their riot at Roxbury, and they

presumed the Danville riot was about the same; that is, those that read the newspapers. I don't think it had any influence upon the people there. The vote was very large. I made a statement of what the vote was and put it in my pocket.

Q. Well, you can state, if you have got the figures, what the vote was the year before and what it was the last time, and say if there has been any increase or falling off?—A. The whole vote of the Peninsula is, white people, 4,067; of colored people, 6,250. Well, the colored people voted on the Peninsula 4,855 out of 6,250. The year previous the vote of the Readjuster party, under the leadership of Captain Wise, was 3,433, but at this time it was 4,855—you see the increase of the colored vote. My vote was 3,654. I ran 800 ahead of John Wise's vote.

Q. What had been the vote before?—A. The Democratic candidate that ran for the senate before me was beaten I think by about 2,760 and the vote against me was 1,200; I ran ahead of Captain Wise, the successful candidate, 400. The vote was increased of course by the fact that the capitation tax was taken off—both sides. There had always been a great number of votes, white and black both, who had not gone to the polls because of the capitation tax.

Q. You think the Danville riot had nothing to do with that?—A. Nothing on earth. I think the vote was made heavier by the fact that the Readjuster party recognized the fact that if they failed the Mahone party was gone forever and the Democratic party appreciated the fact that if they failed they were destroyed and it was a Waterloo, and it was drawn with all the ability that men could bring to bear, and the Democrats succeeded in the State, but there was great good feeling everywhere. Of course, I saw no intimidation, no effort anywhere to prevent voting. One colored man told me he wanted to vote for me and he would vote for me, but he would not for the house candidate because he was afraid it would injure him in his church relation. He did vote for me. He is an old slave of mine. I have heard of no case of intimidation though, in fact, by either party. There was great good feeling. I think they had voted for me from the fact that I had been nominated and they were fond of me.

Q. What were the personal relations between the whites and blacks in that country?—A. Oh, first rate; the very kindest relations. To show you what the relationship is, when my time expired and it became necessary to elect a new judge—the Readjuster party got in—there was not a colored man in my county who would sign a petition against me but one. Every one in the county except one signed a petition to have me retained.

Q. Generally what are the business relations of the white people and black people there?—A. Oh, there is no better feeling in the wide world than exists on that Peninsula, and my observation extends no further.

By Mr. LAPHAM:

Q. Were you elected to the legislature?—A. No, sir; I was not elected.

Q. You do not bear any share of the responsibility of what was done in that legislature, then?—A. Only to applaud where it was well done.

Q. Do you applaud it?—A. I applaud what was well done. I do not know that I am responsible for what they did; I know I am not, but still there were some things done——

Q. Do you approve, generally, what was done by your legislature last winter?—A. Really I have not looked at the code of laws; I was simply a clerk to the Senate there, and had very little to do with it.

Q. You are unable to say whether you approve it or not?—A. I approve the legislation of Virginia always.

Q. That is too general.—A. You mean, do I approve the legislation of the legislature of Virginia at their last session?

Q. Yes, that is just what I mean.—A. I most assuredly do, except it was done too hurriedly; they didn't have time; they ought to have had a longer session, so as to have done more of it.

Q. Do you approve the seating of Callahan in the Senate?

Mr. VANCE. I do not want to be captious, but I would like to know what the witness's approval of the seating of Callahan has to do with this matter?

The WITNESS. I have no objection to answering it. It was a law matter, and I have never investigated the law of that case. Therefore it would be impossible for a man who has held a seat as a judge to answer that question.

By Mr. LAPHAM:

Q. You can say whether you approve it or not.—A. I cannot say whether I approve it or not, because I do not know anything about it. I am satisfied, though, that the legislature acted conscientiously in seating him.

Q. That is going beyond my question. I do not ask you to test the conscience of others; I am appealing to you personally. Have not you ever expressed an opinion as to the seating of Callahan?—A. Never.

Q. You really have not?—A. I have not. I never had anything to do with that matter.

R. L. COHEN sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Danville.

Q. What is your business?—A. I am a transfer agent.

Q. Were you in Danville on the day of the riot?—A. Yes, sir; I was.

Q. Did you witness the riot?—A. I did.

Q. Do you know anything about colored persons having arms on that day?—A. Yes, sir.

Q. State who of the colored people you know to have had arms that day.—A. Well, sir, on the morning of this affair in Danville I saw this boy Hense Dawson and William Lewellyn loading their revolvers in the entrance of Nicholas & Hessburg's bar room.

Q. What time in the morning was it?—A. I think it was about 12 o'clock, or probably a little before, or maybe a little after; I don't remember exactly.

Q. Do you know about the time when Noel and Davis, or William Lewellyn, or whatever his name is, had a fisticuff in the street?—A. Yes, sir.

Q. About the time that this colored man trod upon Noel's heel; when the first difficulty occurred?—A. No, sir; I don't know anything about the first difficulty.

Q. Well, from what you heard, can you locate the time?—A. I think it was about half past two.

Q. That that thing occurred?—A. Yes, sir.

Q. Now, was this loading of the pistol before or after that occurred?—A. Yes, sir; some time before that.

Q. You saw them in the entrance to Nicholas & Hessburg's grocery—drinking saloon?—A. Yes, sir.

Q. The back entrance or the front one?—A. The front entrance, right in the hallway.

Q. How were they loading—with cartridges in the breech, or loading in the muzzle?—A. They were loading cartridge pistols.

Q. You saw them have one each?—A. Yes; both of them had a pistol.

Q. Describe that passage, will you; is it anything of a long hallway that leads into the saloon?—A. Well, sir, it is a side entrance of the saloon. It fronts on the main street, and goes right back into the side door that goes into Nicholas & Hessburg's saloon.

Q. It does not enter into the front or main body of the building, but goes in and then comes in the saloon?—A. No, sir; it comes in on Main street.

Q. I know; into the main building, I mean; if I understand it, Nicholas & Hessburg's saloon fronts on Main street?—A. Yes, sir; it fronts both on Main and on a side street too.

Q. Well, the side of the building is to Market street?—A. Yes, sir.

Q. The continuation of Market down there?—A. Yes, sir.

Q. Now, there is one entrance from Main street into the saloon at once?—A. Yes, sir.

Q. And then there is a side entrance that leads you back apiece, and then you turn to the right into the saloon?—A. Yes, sir.

Q. And it was in this side entrance that you saw them?—A. Yes; it was; it was in the side entrance.

Q. Do you know of any other colored men who are in the habit of carrying pistols to your knowledge?—A. Yes; I can name some few.

Q. Name them, please.—A. I can give you the name of Howard Robinson, a colored man, that carried a pistol. I saw him, about 9 o'clock, at the Richmond and Danville depot, with a pistol in his hand, and a darky by the name of Henry Adams had a pistol.

Q. Do you know if they were engaged in the riot?—A. I do.

Q. Did you see them?—A. I didn't see Howard Robinson in the riot, but Henry Adams was.

Q. You saw Henry Adams?—A. Yes, sir.

Q. Did you see him display his pistol during the riot?—A. No, sir; I didn't see him then.

Q. But you saw him and Robinson have a pistol that morning at the depot?—A. Yes, sir.

Q. Did you see any others?—A. Do you mean on that day?

Q. Yes; with pistols.—A. Yes, sir; I saw a colored man with Nicholas & Hessburg's wagon, a fellow by the name of Anderson Conway. A fellow was round at our store that morning with his pistol; said he had it, and had loaded it for good use.

Q. Did you see any others besides him?—A. Yes, sir; I saw a negro by the name of Nat. Lawson.

Q. Did he have a pistol?—A. Yes, sir.

Q. When?—A. He was the man that gave the word "Rally" in the riot, and fired right into the crowd. He then ran by me, struck me, and knocked me with his elbow, up on the corner of Vass's hardware store, between that and Ruffin & Woolfolk's office.

Q. You heard him call upon the colored people to rally?—A. Yes, sir; gave the word to fire.

Q. And fired his pistol?—A. Yes, sir.

Q. Towards the white people?—A. Yes, sir.

Q. Did you see anything of another colored man named Walter Coles?—A. Yes, sir.

Q. Where did you see him with a pistol, if any?—A. I saw him before the difficulty occurred in front of Mr. Averett & White's shoe store—W. P. Averett's shoe store.

Q. Did he have a weapon?—A. Yes, sir; he had a pistol in his outside coat pocket.

Q. Did you hear him say anything?—A. No, sir; I never heard him make any remark at all.

Q. Any other colored man with a pistol? Did you see anything of Walter Gay?—A. Yes; I saw Walter Gay on the evening before this difficulty occurred.

Q. That would be Friday?—A. Yes; in front of Pace's warehouse—they were building it then, it was not quite completed—showing it to some darkies there at a place called "Hell's Half Acre"; that he thought it would be advisable for all of them to carry a pistol. I asked him what he was carrying that pistol for, and he told me to shoot anybody that interfered with him.

Q. Can you name any others whom you saw with pistols about that time?—A. Well, not exactly about that time, but before I have. I saw a darky by the name of Jeff Hubbard, a peanut vender right on the corner of Market and Main, by P. R. Jones's; I seen him have a pistol. He came around by our stable, and a boy by the name of Martin Neal, that voted the Democratic ticket there. He took the pistol out and showed it to him, and told him if he voted the Democratic ticket that that would be his gain—made that remark to him. I remarked to him then that I had a great mind to have him arrested for it, and he said that I could have him arrested and be damned.

Q. What was the name of that colored man?—Jeff Hubbard.

Q. Did you see anything of Jeff during the riot?—A. I saw him just before the riot—him and Squire Talliaferro.

Q. You did not observe them in the riot?—A. No, sir. Squire Talliaferro was in the crowd when the riot started—when it first started in the street.

Q. Did you have any difficulty with Davis Llewellyn at any time?—A. Yes, sir; I had some words with him once on one occasion. There was a Wizard Oil—

Mr. LAPHAM. I object to that.

Mr. VANCE. It is competent, I suppose, to show the temper of the colored people there at that time.

Mr. LAPHAM. Oh, no.

By Mr. VANCE:

Q. At what time did you have this difficulty with him?—A. It was, I think, about two weeks prior to this difficulty.

Mr. VANCE. Do you think that can't get in, judge?

Mr. LAPHAM. No; I do not think it is competent to show an altercation between him and Llewellyn, especially as you did not examine Llewellyn in regard to it. If you had interrogated him, it might be proper; but as evidence in chief it clearly is not competent.

Mr. VANCE. I will not press it. [To the witness.]

Q. How many pistols do you think you saw in the hands of colored men on the day of the riot?—A. I think I saw a dozen or more. Several darkies at the time of the difficulty had pistols. I didn't know them—strangers to me. I don't think they belonged in the town. I think I saw them come in the night before; I did see one of them come the night before on the train from North Carolina.

Q. Are you able to say whether there were more than usual colored

people on the street the day of the riot that did not belong there?—A. Yes, sir. There was a great many there that had lived there, but had left and gone to North Carolina, and came there the morning before this difficulty occurred. I was watching out for that affair. I expected——

Q. Aside from this case of which you have just told us, do you know of any other attempts to intimidate colored men from voting?—A. I know of one colored man that interfered with a darkey that worked for me; he was going to vote the Democratic ticket, and he stopped him and told him he ought not to vote; the darkey asked him why; he said that no colored man was going to vote; that if he voted all the colored people would be down on him; he told him he didn't care whether they were all down on him or not, he was going to vote to suit himself; he went with me to the polls and cast his ballot.

Q. What was the name of that man?—A. The man that voted?

Q. No, sir; the man that interfered with the voter.—A. I don't know what his initials was; his name is Hawkins, a colored huckster on the market; I told him at the time that he had nothing to do with it; the boy had a right to vote to suit himself.

Q. Are you acquainted with the general character of this man Hense Lawson?—A. Yes, sir.

Q. What is it, as a peaceable and orderly man?—A. Well, sir, he is known about Danville as being a notorious character; I was on the police force there in Danville for a while; I made three arrests; he was fined heavily for it; paid his fine, and came out; I arrested him once for shooting in the corporation.

Q. You say he was known as a notorious character; notorious for what?—A. Both for drunkenness and for fighting; he was always in a difficulty with somebody, white and black.

Q. He is a violent man, is he?—A. Yes; I saw him on one occasion take a drunken man, while my omnibus was standing in front of a bar-room there on Union street just below Main (I was going to meet the 7.15 train going south), take him up and throw him under my horses; a man by the name of Johnny Lee (they call him), a tailor there; I collared Hense Lawson, and put him one side and told him he ought not to interfere with that man; he said he would kill him or any other white man that interfered with him; Mr. Green Williams was there at the time and saw the difficulty.

Q. That is his general character, is it?—A. Yes, sir.

Q. Did you see him using violence towards a colored man just before this thing happened?—A. Yes; I saw him, I think it was probably four weeks prior to this difficulty, run a colored man down the street Sunday night with a pistol in his hand—a bright mulatto boy. He lived in Greensborough, N. C., and myself and Mr. Moles, the bar-tender at the Arlington, went over to see what was the matter with the boy, and he said he had done nothing to Hense; that Hense was drunk and had run after him with a pistol.

Q. Are you acquainted with a colored man named Squire Talliaferro?—A. Yes; I know him; have known him for a good many years.

Q. Did you hear any conversation between him and another colored man with reference to the election?—A. Yes, sir.

Q. State what it was, please, and how long before?—A. This was on the morning of the election——

Q. The morning of the difficulty, or of the riot?—A. Yes. A colored man by the name of Jeff Hubbard (the same man I mentioned just now) went to him and said, "Squire, how is things working?" He says, "Things is working all right; you just stick to me and I will make it

hot as hell for all of them." I heard him make the same remark, or something similar to it, in a speech he made there before.

Q. Whereabouts did he deliver it?—A. On the court-house steps, the same night that a colored man by the name of Poindexter made a speech there. They both used pretty rough language telling the colored people what to do.

Q. Did you see anything of Squire on the day of the riot?—A. Yes, sir; I did.

Q. What was he doing when you saw him?—A. When I first saw him he had a crowd of darkies standing around him, and seemed to be talking pretty loud—boisterous; they all seemed to be standing up to him, willing to do anything that he proposed to them.

Q. Did you see him take any part in the riot?—A. He was in the crowd when it started; I did not see him take any active part in it at that time.

Q. Did you see him when he began his travels?—A. Yes; I saw him fly pretty lively.

Q. Do you know anything about how the club there came to use the armory as a place of meeting?—A. Yes, sir; I believe I know something in regard to it. I was asked by one or two members of the club to look around and see if I could not get a place that would do for a club meeting, and I used my efforts to do so. The room that the club used to have I went and tried to get, but it was impossible for them to get it, as it was occupied by some one else. I went to several places, and could not get any place that was suitable—only a small room that would not hold more than a dozen or two people; that is the only place that they could get at the time for a meeting at all.

Q. Do you know whether Mr. Herndon was secretary of the club at that time?—A. Yes; Mr. Herndon asked me—

Q. He is the secretary of the club in that ward, is he not?—A. Yes, sir.

Q. You say they selected the armory because they could not get any other suitable hall?—A. Yes, sir.

Q. Do you know any fact tending to show that the white people there procured this riot to be brought about in order to shoot the colored people?—A. No, sir; I don't.

Q. Nothing showing any premeditation?—A. No, sir.

By Mr. LAPHAM:

Q. Will you not give the name, now, of each colored man you saw with arms that day?—A. Each man?

Q. Yes.—A. On the day of the difficulty?

Q. Yes.—A. I saw William Llewellyn, and Hense Lawson, a negro by the name of Natt Lawson with fire arms on that day.

Q. Is that all?—A. Howard Robinson.

Q. Is that all?—A. That is all I remember seeing on that day.

Q. Now, will you be good enough to tell the committee what white people you saw with arms?—A. I don't know that I paid as much attention to the white people as I did to the colored.

Q. That was not the question I asked you.—A. Well, I don't know that I can name any one.

Q. You cannot name any white man that you saw with arms that day?—A. No, sir.

Q. Had you any?—A. Yes, sir; I had a pistol.

Q. Well, you could have named yourself.—A. You did not ask me—any white people.

Q. What did you have?—A. I had a five-shooter.

Q. Well, that is very indefinite. What kind of a five-shooter?—A. I had a very common five-shooter. I don't know what the name was; I don't think there was no name on it.

Q. Was it loaded?—A. Yes, sir.

Q. Did you fire it?—A. No, sir.

Q. Where were you when the firing began?—A. I was standing in front of H. F. Vass' hardware store.

Q. Did you see who fired first?—A. I saw this negro, Natt Lawson, give the word "Rally!" and fire.

Q. Do you say that was the first fire?—A. Yes; that was the first fire that was fired.

Q. That was before Lea's pistol was fired?—A. Yes, sir.

Q. What?—A. Before whose pistol was fired?

Q. Lea's.—A. I never saw Lea fire at all.

Q. Do you mean to swear, now, that Lawson's pistol was the first one fired?—A. Lawson's pistol was the first one fired that I saw.

Q. That is all you mean to say?—A. I heard him give the word "Rally!" and fire.

Q. Well, you repeat that a good many times; I did not ask you to repeat that.—A. I just let you know I heard that.

Q. Yes, I know that; I want to understand whether that was the first pistol fired?—A. Yes; that was the first pistol fired after the difficulty——

Q. How long had you been there?—A. I had been standing in the neighborhood there from the commencement of the meeting at the opera house.

Q. Did you see the first fight between Noel and Lawson?—A. No, sir; I didn't see the first fight.

Q. Where did you come from?—A. I came from my place of business.

Q. Where is that?—A. My place of business is on the corner of Patton and Lane streets.

Q. What is your business?—A. I am a transfer agent.

Q. You drive a team?—A. No, sir; I do not.

Q. What do you mean by "transfer agent"?—A. Well, I run an omnibus and baggage wagon line for conveying people and baggage anywhere they want to go.

Q. For whom do you run that?—A. M. W. Lumpkin.

Q. Was anything said to you by him about not being on the street with your team that day?—A. No, sir; he was not in town. My teams were on the street.

Q. Was anything of the kind said to you by any one in charge of that establishment?—A. No, sir. I am the only one outside of Mr. Lumpkin that has any charge.

Q. Were your teams out that day?—A. Yes, sir; they were at the time of the firing.

Q. Where?—A. One of them was up at the post-office, or custom-house.

Q. Now, I want to repeat the question, Did you not see any white man except yourself with arms?—A. With arms?

Q. Yes.—A. No, sir; not that I know of.

Q. Did you not see Captain Graves?—A. No, sir.

Q. Did you not see Mr. Lea?—A. I saw Mr. Lea; yes.

Q. Did you see Mr. Taylor?—A. Yes; I saw Mr. Taylor; I did not see him at the time of the difficulty.

Q. Did not either of them have arms?—A. I didn't see either of them with arms.

Q. How many pistols were fired there?—A. Well, I don't know; I couldn't say.

Q. What is your best judgment?—A. I think there was probably twenty-five or thirty shots fired.

Q. Probably twenty-five or thirty?—A. Yes; I don't know that there were that many, or that there was more. I could not tell; that is something I think it is impossible for most any one to tell.

Q. You have spoken of one colored man that fired?—A. Yes; I saw him fire.

Q. Where was the rest of the firing?—A. Right above the same place where he fired.

Q. Was it not from the white men who stood there?—A. No, sir.

Q. They did not fire at all?—A. I don't say that they didn't fire at all; I don't say that; I suppose they fired.

Q. Do you?—A. Yes, sir.

Q. I do not want any supposition. Do you not know that they fired?—A. No, sir; I do not.

Q. Where were you standing?—A. In front of H. F. Vass'.

Q. How near to the white men who stood there?—A. Well, I was as close as I am to anybody here.

Q. But you can't say that any white man fired a pistol?—A. I cannot say that I saw any fire.

Q. You heard the firing?—A. I did.

Q. You cannot say that any white man fired a pistol?—A. No, sir; I can't say, because I——

Mr. LAPHAM. Well, that is enough.

By Mr. VANCE:

Q. You do not say that white men did not fire; but you say you did not see them fire?—A. I do not say white men did not fire; I just say I did not see the white men fire. I will state that my back was to the white people.

Q. You were looking at the colored people?—A. I was; I made it my business to look at them.

W. P. AVERETT recalled.

By Mr. VANCE:

Question. You have been before the committee once, have you not?—Answer. Yes, sir.

Q. We want to ask you about a matter which was not brought out before. You are in the shoe store of Averett & Co., are you not?—A. Averett & White, then, sir.

Q. Do you know anything about a pistol which was said to have been in the possession of Hense Lawson?—A. Yes, sir.

Q. Did you see him with one?—A. Yes, sir; I saw him with two pistols. On Saturday night—I think it was the Saturday night before the riot—I had started to my home from the store. I think it was about 10 o'clock, the usual shutting-up hour, and I was met by Hense Lawson just above Nicholas & Hesburg's bar-room, about Tom Pierce's barber shop, you might say. He called me and walked very close up to me, and in a very low tone he remarked, "I want to get a pair of shoes." I told him I was mighty glad to hear it; I was always willing to see anybody that wanted a pair of shoes. He said he did not have any

money, and I asked him what he proposed to do, and he said he had a mighty good pistol he wanted to pawn for a pair of shoes. I asked him to let me see the pistol, and some way or other he reached round and pulled two pistols out, or he either pulled one from that pocket and one from the side pocket, I do not know which now; but anyhow I said to him, "What in the world are you doing with two pistols, boy?" "Oh," he remarked, "This one is mine I am going to pawn with you, but this one belongs to some damned nigger who owes me and won't give me any money." I went with him back to the store, and told one of the clerks to give him a pair of shoes, that he wanted to pawn his pistol. The pistol was deposited in the safe, and I went on home. He got a pair of shoes of the value of \$8 on the pistol, and I have the pistol now in my possession and the shoes are still charged ot him.

By Mr. LAPHAM:

Q. You have that pistol yet, I think you said?—A. Yes; I have it home.

By Mr. VANCE:

Q. You did not get but one of them, did you?—A. No, sir; I did not get but one.

CHARLES T. O'FARRALL sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. I reside in Harrisonburg, Rockingham County, Va.

Q. You are the contesting member of Congress from that district, are you not?—A. I am.

Q. We would like to have from you a statement of the effect produced by the news of the Danville riot, &c., in the valley of Virginia, where you were canvassing last fall, when it was received, and what effect attended it, and so on and so on.—A. I was a State canvasser for the Democratic party last fall, and canvassed comparatively little in the valley of Virginia. I was principally in the southwest portion of the State. I returned from the southwest on the Sunday before election—the election was on Tuesday—at least I got back to Harrisonburg on that day. On Sunday morning I was at Staunton, and there I heard of the Danville riot. I went on down on the train to Harrisonburg, and I think I carried the news there; I don't think they knew anything of it until I got there. When the election came on on Tuesday, instead of the Democrats using the Danville riot as a means of securing votes they endeavored to suppress it. They endeavored to suppress it for the reason that they were under the impression and believed at the time—and I think the facts developed showed that they were right—that it would have a tendency to drive off the colored people from what was called the straight-out Republican movement in the county to the support of what we generally understand as the Mahone ticket in Virginia. It is my opinion, and I don't think I can be mistaken, that so far as Rockingham County is concerned—and I was only there on the day of election—I was nowhere else—that that Danville riot did the Democratic party injury in that county. There was a right formidable little straight-out organization in the county, composed principally of colored people. The effect of the Danville riot was to drive them from the support of the straight-out ticket in that county to the support of the Mahone ticket for the legislature.

Q. Who headed that straight-out movement?—A. I think I might

say that Mr. B. B. Botts, who had been for many years—twelve or fourteen years, I think—the internal-revenue collector of that district, was considered rather the leader; Captain Lurty, who had been United States district attorney there for some time until he was retired, it was understood by General Mahone, was also regarded as a leader of that movement. I suppose in the straight-out movement in the State Mr. Dezendorf and General Wickham were regarded as the leaders of the State movement.

Q. These were the local leaders in that county?—A. In my county; yes, sir. Mr. Botts had lost his position a short time before that as internal-revenue collector, and so had Captain Lurty lost his. I cannot, of course, speak of my own knowledge, nor can I speak of direct observation as to any other portion of the State, as far as the effect of the Danville circular is concerned. I believe from what I have been able to learn that the Danville riot—I think it was a disadvantage to the Democratic party in the State; it had a tendency to consolidate the colored vote against the Democracy.

Q. About how many colored people do you suppose belonged to that straight-out organization in your county?—A. I don't know that I can form any accurate idea as to that. Of course I know nothing of it personally. I can only give you rumors. As the campaign progressed, I heard in the town of Harrisonburg there was a straight-out club there of, I think, 40 colored people—that was in the town. I heard that there were other clubs in other portions of the county.

Q. How many colored people do you suppose, or have you any means of knowing, voted for the straight Republican ticket?—A. But very few.

Q. Not so many as was said to be enlisted in the clubs?—A. No, sir; I don't think the straight-out ticket—I don't remember distinctly—but I don't think the straight-out ticket got altogether in the county over 40 or 50—not exceeding 60 votes, white and colored.

Q. Now, can you give us the comparative results of the vote last fall and at the election previous, two years ago?—A. In the county?

Q. Yes?—A. The Readjuster party polled a somewhat larger vote in Rockingham County last fall than they did in the fall of 1882. The Democratic party polled a much larger vote. There was a reserve vote brought out in the county that had not been to the polls before, by the Democratic party, and a small reserve vote I suppose brought out by the other party. The Readjuster vote was increased—there was a small increase in that vote—but a very considerable increase in the Democratic vote. The party was very thoroughly canvassed in the county, and everybody was very active.

Q. Well, as it appeared from the results; then the gains of the Democratic party arose from bringing out the reserve vote, and not from losses by the Readjuster party?—A. We had very few accessions from the Readjuster party; I mean from those who had previously voted with that party; some few, but not many. Our gains were from the reserve vote.

Q. Well, how was the result generally in the valley—that country in which you live?—A. That was principally the case everywhere. In Augusta County we increased our vote, but it was by the reserve vote, and the Readjuster Coalitionists, my recollection is, polled a considerable larger vote in Augusta County than they did the fall before. I think in Shenandoah they polled a larger vote than they did the fall before, and in Page County they polled a larger vote than they did the fall before. This is my recollection; I don't think I am mistaken. But in all those counties the Democratic vote was increased except in Page.

I believe they increased their majority some in Page; there was no material difference, though.

Q. In the whole vote of the valley, did the Readjuster vote fall off or increase last fall?—A. I think the Readjuster vote increased; but the Democratic vote was increased very considerably.

Q. Now, you think the Danville riot, or news of what had been done in Danville, had but very little effect upon the changing of votes in the valley?—A. Yes, sir; I don't think it had. Upon the changing of votes in the valley?

Q. It had very little effect.—A. I think the Democratic party secured very little benefit, so far as accessions to their ranks were concerned, but I think the Democratic party suffered by reason of the straightout movement getting so small a vote.

Q. Now, I want to ask you, situated as that country is, and most of our southern agricultural country, if the news of that riot had reached the election precincts in the various counties away from the railroad on the day of election?—A. I think that there are a great many counties in the State where it would have been perfectly impossible for the news to reach—a great many counties remote from the railroad, no telegraphic communication or anything of the kind. I think that was particularly the case in Southwestern Virginia, where I canvassed principally, and I think that was the case where our Democratic gains were more marked than immediately upon the line of the railroad, where the news of the riot was known.

Q. Well, if these changes and differences in the result of the last election were not attributable to the Danville riot and what was done about Danville, to what do you attribute them?—A. Well, sir, I suppose the members of this committee have heard enough to understand what was known in Virginia as the Readjuster movement.

Q. Yes, we would like to hear what you have to say about it.—A. It was originally intended, as you all understand, as a movement for the purpose of settling a vexed legal question there known as the State debt. A good many Democrats went into that movement for that purpose, but, as I understood, not with any view at all of interfering with their relations to national politics. The legislature before this present legislature passed what was understood and known in the State as the Riddleberger debt-settlement bill. The Democratic party which met in convention at Lynchburgh adopted as one of its planks in that platform, that it would acquiesce in the settlement made by the Riddleberger bill. The people of the State by reason of that—a great many of those who had acted with the Readjuster party before that—believed that the State debt was settled by the passage of that bill and by reason of the Democratic party pledging itself to abide by that settlement, and that brought back to us quite a number of men. I mean brought back to the Democratic party proper quite a number of men who had been acting with the Democratic party prior to this Readjuster movement, and I think that was notably the case in Southwestern Virginia, and so far as our gains out there were concerned I think that was the cause of our gains there.

Q. The local question being settled, and settled to their satisfaction?—

A. Settled to their satisfaction; yes, sir.

Q. They resumed their allegiance to the Democratic party?—A. Yes, sir.

Q. Do you think that caused sufficient to return to have produced the result in the last election?—A. Well, sir, as the canvass progressed we found a desperate effort was being made by the canvassers of the Coa-

lition party to arouse a race feeling and to carry the colored vote against the Democracy. That was the case on every stump in the State so far as I know. I don't think that I ever heard a canvasser on the opposite side in any speech in which he didn't endeavor to array the colored people against the Democracy. They would tell them that the Democratic party had passed a law which inflicted stripes; that the Democratic party deprived them of their suffrage by passing this constitutional requirement of prepayment of the capitation tax as a qualification for voting, and the most enthusiastic in all their meetings were the colored people for that party. That naturally drove the white people together, and as the canvass progressed, as the issue had already been raised by the opposite party—the race issue I mean—and the color line drawn, why there was a disposition upon the part of the white people to draw the color line, and to urge the white people to stand together, as the colored people were standing so solidly together. I was in the Lynchburgh convention as a delegate, and a proposition was made there to draw the color line in our platform. I was opposed to it, and that proposition did not prevail. The convention refused to draw any color line, and I think that that was the sentiment of a large majority of that convention. When the canvass commenced there was no such idea as drawing the color line, but it was drawn by the other side, and then our own interests and what we regarded as the interests of good government in Virginia required us to draw the color line, and to arouse the whites as against the colored.

Q. Well, sir, I have heard it said that in your State there were quite a number of Democrats who really wanted the debt readjusted, but didn't care to separate themselves from the party, and didn't vote at all, but quietly waited until the thing was adjusted, and that they came out and helped to swell the Democratic majority this last time; is that so, so far as you know?—A. Well, I have heard expressions of that kind upon the part of Democrats; that they would take no part in this matter at all; let it go along, and I think the result of last fall's election would sustain me in the opinion that that was the case, because the very moment the debt question was settled a great many men came out to the polls and voted who had not voted for several years.

Q. Do you know of any practices whatsoever upon the part of the Democratic party in your section of country tending to interfere with the constitutional rights of citizens to vote?—A. I have never seen anything of the kind, nor have I heard anything of the kind; I do not think, so far as Rockingham County and so far as the valley of Virginia is concerned, that there has ever been even the slightest intimation that elections were not fair in that section.

Q. And free?—A. And free; yes, sir; that is, so far as the Democratic party was concerned. Now, sir, when you come to the colored people, there has certainly there in my own town been a disposition upon the part of the colored people to ostracize all of their race who would not vote the Republican ticket. There was, in 1882, a colored man who was running as a straightout candidate for Congress in that district. I think he only received perhaps 100 votes in the district, but—he lived in Harrisonburg and lives there now—but in the canvass there was a little party of colored who were disposed to support him, but on the day of election remonstrances were made against him by the colored people themselves. After the election—now that I state of my own knowledge what I saw—after the election, I don't know whether it was the night after the election, or perhaps a night or two after the election, I was told on the street, and it was currently reported there that this

colored man's house had been stoned the night before by colored people, using such expressions as this, "Damn him, we intend to drive him out of here." That is James W. Corcoran.

By the CHAIRMAN:

Q. That is what you heard; did you hear it from colored people?—

A. I don't know now that I did; I don't know now that I could tell; it was just a current rumor there, but Corcoran has told me so himself; I don't know——

By Mr. VANCE:

Q. Did Corcoran tell you so himself?—A. Yes, sir.

By the CHAIRMAN:

Q. Who was Corcoran?—A. He was the man who was a candidate, and at one time member of the executive committee of the Republican party of the State of Virginia; I think he was the chairman just before Mr. Dezendorf; that is my recollection. He is a very intelligent colored man, and a very respectable citizen of Harrisonburg.

By Mr. VANCE:

Q. Do you know of any instances of social ostracism, refusing to visit one another, on account of politics?—A. I know nothing of that of my own knowledge.

Q. Well, has any colored man told you?—A. I have heard that stated there in the town; I don't know that I have heard the colored people say directly——

Q. Very well; if you cannot give the names of the colored people who stated it to you you need not mind stating it.—A. Yes; we have comparatively few colored people there.

Q. Recurring to the Lynchburg convention, I will ask you if it was not the desire and the purpose of those who attended it to reunite the factions of the Democratic party that had been divided on this debt question?—A. Oh, yes, sir.

Q. That was their principal object?—A. Yes, sir; the Readjuster gentlemen who had been Democrats, but who had united in this Readjuster movement, were delegates to that convention, and there was a disposition to unite the two factions, what was known as the debt-paying and the Readjuster factions of the party; perhaps I ought to say Funder and Readjuster instead of debt-paying and Readjuster; I believe that is the way they are termed.

By the CHAIRMAN:

Q. Where is Rockingham County; what is the county seat?—A. Harrisonburg; it is in the valley of Virginia; one of the counties in what used to be known as the "Old Tenth Legion Democracy."

Q. The county has a large proportion of whites, I suppose?—A. Yes, sir.

Q. You have 5,800 odd white voters and 600 black voters, according to the census; is that about the proportion?—A. I don't know what the census shows. I think we polled about 5,000 votes in the last election.

Q. About how many colored voters?—A. I should think about 600.

Q. You say that after the Lynchburg convention was over the canvass drifted into a canvass on the color line. What were the indications of that; what were your signs and flags? Can you state any of them? What was the indication that the color line was drawn?—A. I

say it was drawn on the stump by canvassers. When I first went on the stump—in fact I did not draw the color line very distinctly anywhere; it was not my policy to do it. That wasn't the way I started out, but in meeting various gentlemen on the stump—among the number Mr. Fowler, who was examined, I believe, by this committee as a witness, and who was very extreme in his abuse; in meeting Mr. P. H. McCall and Mr. Pendleton, of Southwest Virginia, and other gentlemen, they would endeavor to arouse the race issue by telling them that the Democratic party had passed a law inflicting stripes; that the Readjuster party had abolished the law; that the Democratic party had attempted to interfere with their rights of suffrage by procuring the passage of the law for the prepayment of capitation tax as a qualification for voting, and those things.

Q. Let me ask if Rockingham wasn't a Readjuster County?—A. At what time?

Q. Last fall?—A. It was carried by the Readjusters last fall by a small majority, but didn't hold her delegates in the legislature.

Q. They were among those turned out?—A. Yes, sir.

Q. That has always been a Readjuster county, has it not?—A. Let me answer that other question; that remark of yours that they were turned out would imply I suppose that the Readjuster members lost their seats improperly.

Q. I didn't say anything about that.—A. No, sir; but your term would imply that, and I must defend my county if any such imputation is cast upon it or upon the legislature.

Q. I have no desire to review the action of your legislature. They were turned out, as you speak of members of Congress being turned out, by a committee, &c.—A. Very well, sir.

Q. Was it not your interest now to draw the color line in order to excite the white people?—A. The color line was not drawn in Rockingham County.

Q. Where was it drawn?—A. I was in Southwest Virginia nearly all the time. I didn't hear a speech in my own county all last fall, and there was very little speaking in Rockingham County last fall. Our people were endeavoring very quietly to get out the reserve vote. There was comparatively little demonstration in Rockingham County last fall; it was all done very quietly. It was what we call there "a still hunt."

Q. Still there was a gradual change of the canvass into the color line?—A. I say in Southwestern Virginia, yes, sir.

Q. I will ask you whether the Danville circular had that tendency?—A. I think the Danville circular had a tendency to arouse the Democratic party, make them more active, and I think out there in Southwest Virginia it may have had some tendency to draw to the Democratic party some votes, but that change was going on there long before that Danville circular reached there; that was only just before the election.

Q. Did you see any of those Danville circulars?—A. Yes, sir.

Q. How long before the election?—A. I think I saw the Danville circular on Tuesday or Wednesday before the election; I have forgotten.

Q. I will ask you whether it was not the habit of the Democrats in that part of the country to put flags on the houses of Democratic voters in Southwestern Virginia?—A. I don't think I saw any.

Q. Did you see any mottoes?—A. What, flags?

Q. Putting flags on the houses of the Democratic voters to distinguish them from others?—A. I don't think I saw any. I don't remember any.

Q. Did you know about that?—A. I have heard that out there in the

mountains that some man would put a flag on his house, or tack it on the outside of his door, something of that kind; I don't know anything about that.

Q. Well, did you see any flags in your processions—"the white man's party" on your flags?—A. There was a flag stretched across the street in Abingdon on the day that Mr. Wise spoke there; of course before the election, but I don't remember; there was some inscription on the flag; I don't remember what it was, but it was something of that character.

Q. Was that drawn up there at the time that Mr. Wise was about to speak?—A. Well, sir, it was put there on the morning of the court, I think, perhaps before Mr. Wise got to the town; I am not sure.

Q. And that was to indicate the Democratic party—the white man's party; that meant the Democratic party?—A. Yes, sir.

Q. Did you notice that at any other place?—A. No, sir.

Q. Did you notice it next day, or anything like that?—A. Never saw anything of that kind after that.

Q. Were there any such emblems on the stand at Christiansburg?—A. No, sir; I don't remember anything of that kind. I spoke at Christiansburgh next day; I don't remember anything of the kind; I am quite sure there was nothing of the kind on the stand.

Q. I believe you said you first heard of the Danville riot on Monday?—A. No, sir; Sunday morning.

Q. Had you seen notices in the newspaper about the Danville riot some days before it occurred?—A. No, sir; the Danville riot—the first that I ever saw of it—

Q. I will ask you if you know of this paper [handing newspaper to witness]. What paper is that and what are the politics of it?—A. The Richmond Dispatch. This is published in Richmond, and is a Democratic paper.

Q. What date is it?—A. October 30, 1883.

Q. Please read the article marked and see if you recognize it as ever having seen it before.—A. (Reading:)

BRIEFS AND PERSONALS.

Every day the Main street idlers put out the report that there has been "a riot in Danville." It excites a great many people, and does no good.

Is that all you want me to read?

Q. Yes, that is all I want. How long was that before the riot?—A. This paper is dated October 30, and I believe the riot occurred on the following Saturday.

Q. The riot occurred on the 3d of November, and this is dated the Tuesday previous?—A. Yes, sir; that paper is dated just one week before the election.

Q. I will ask you whether or not during the last three or four weeks of the canvass the appeal was not made directly to the white voters of Virginia to stand up for the white man's party—Southwestern Virginia, I mean—to the white man's party, and the race issue in that way was distinctly drawn and defined?—A. It was to a very great extent, and I did it myself, driven to it by the course pursued by the opposite party, that undertook to bring up the colored people in solid phalanx against the white people of Virginia.

Q. You say you did it in retaliation, but it was done?—A. It was done; yes, sir.

Q. And the tendency every day, as the day of the election approached,

was to make a race issue between the white and black men?—A. I think it was. The tendency was probably to intensify both sides.

Q. Now, what is the real issue, according to your definition of Democracy, between the two parties in Virginia?—A. Well, sir, I suppose, Senator, that you know the difference between Democracy and Republicanism as well as I can tell you.

Q. I do generally, but I would like to know how it is in Virginia, whether there is any distinctive difference between the two parties in Virginia, except upon the race issue.—A. Between Democracy and Republicanism?

Q. Yes.—A. Yes, there is a very great difference. I understand Democracy in Virginia to be the same Democracy you have in Ohio, and Republicanism in Virginia to be the same Republicanism you have in Ohio, except not so respectable.

Q. Let me ask you a little more about that, because I would like to know something about Virginia politics. Does not the whole of your politics turn upon the race issue? In Ohio we never speak about black men or white men, never debate it; but I will ask you if in Virginia your politics do not turn upon that question; I don't say whether you are right or not, but whether it does not turn upon the race question?—A. No, sir.

Q. It does not?—A. No, sir.

Q. Well, upon the assumption that the Readjuster question was decided, was there any issue between the two parties except the race question in Virginia?—A. Well, sir, we wanted to hold the Democratic party intact for the fight this year.

Q. On national issues?—A. In 1884, in the national fight. As a matter of course, we have besides the same issues there so far as Democracy and Republicanism is concerned, as you have in your State.

Q. Have you the tariff issues?—A. Well, the tariff issues were discussed considerably last fall on the stump. The Republican party or the Coalition party has taken one position upon it, although they were not uniform, I think, in that party, and so far as the Democratic canvassers were concerned there was some difference between them.

Q. There is a difference of opinion, I suppose, in Virginia as in other States, but you have sufficiently answered me to say that in Virginia the last election, at least, turned upon the race issue mainly?—A. No, sir; I don't say it turned upon the race issue myself. I say that was made an issue.

Q. I know, but you say it was made upon the Republican side by the black men and upon the other side by the white men?—A. Yes, sir.

Q. And that these appeals resulted in the election of a majority in the Virginia legislature?—A. I don't say the result was owing to these appeals at all; I don't think the result was brought about by these appeals.

Q. Don't you think those appeals had a controlling influence in the election?—A. No, sir.

Q. You do not?—A. No, sir; I do not. I think it was something that cut both ways. I think it drove the colored people more closely together whilst it may have driven the white people, to some extent, more closely together.

Q. Was Mr. Barton one of your canvassers in Virginia?—A. Yes, sir; Mr. Robert Barton, of Winchester.

Q. I will ask you if you did not hear him say that the question of the tariff and State rights, and all those questions, currency and the like,

were comparatively of no importance, but that now the question was between the white and black men?—A. I don't recall Mr. Barton's language. I heard the discussion between him and Mr. Wise on the stand. I don't recall his language. My recollection is that Mr. Barton made an appeal to the white people at Abingdon to stand by their race, as the colored people were standing by theirs; that so far as the tariff question was concerned, and those other questions, the question of good government in Virginia, and whether the Democratic party should control the State, was paramount to the question of the tariff and other national questions. I think that that was about the character of the speech he made, if I remember correctly.

Q. The question of good government turned upon the success of the white people as against the black people, according to him?—A. It turned upon the question of intelligence controlling the State.

Q. I will ask you whether such an expression as this was used, that the Anglo-Saxon race had the right to govern the country?—A. I don't know whether he used that expression or not; but if he did, I suppose he used it because he regarded that in the Anglo-Saxon race rested the intelligence of Virginia.

Q. Have you not heard that expression often used in regard to your elections in Virginia?—A. Oh, I have heard that term "Anglo-Saxon" used, of course. I suppose you would agree with the speaker on that.

Q. As the Anglo-Saxon race has the dominating power, that would control the elections?—A. Well, I suppose that intelligence ought to control these things.

By Mr. VANCE:

Q. In regard to these flags you saw stretched across the street at Abingdon, I will ask you if the motto or legend upon the flag wasn't "White trustees for white schools, and colored trustees for colored schools"?—A. I recall it now; yes, that was it.

Q. And was not that the doctrine set forth in the Lynchburg platform?—A. At least I say I recall—that is my recollection; I paid very little attention to it. I saw the flag stretched across the street there, and my recollection is that that was the motto: "White trustees for white schools, colored trustees for colored schools," which was the Democratic platform. I am not quite sure that that was it; that is my impression.

Q. You say the appeals to the white race, so far as you observed, were almost universally made in self-defense against these constant appeals to the colored people?—A. Yes, sir; I certainly never did it until it was done by the other side, and the colored people would be excited to a high pitch over it.

J. R. PATTERSON sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Petersburg, Va.

Q. That is a section of Virginia very heavily populated with colored people, is it not?—A. Yes, sir; it is large colored district there; it is on the "black belt."

Q. Did you observe or take any part in the late election down there?—A. I did. I was at the polls most of the day.

Q. Did you see or know of any drawing of the color line in that country?—A. No, sir, and for my part I was opposed to drawing the color line. It is not in the interest of the south side of Virginia that the

color line should be drawn, because if they did the white people would be in a very large minority.

Q. My question was if you saw any drawing of it. Did you see any of the other side making efforts to weld and band together, one race against the other?—A. Yes, sir; I saw men who seemed to think it was wrong and outrageous for the negroes to vote anything else than the Coalition ticket, and used all their influence to prevent it.

Q. Do you know of any appeals made to them on account of their color to stand by their color?—A. I cannot say that I know of my own knowledge. I heard gentleman say and I saw these things, but I cannot repeat what I have heard since, but I could see the general influence trying to be used at the polls.

Q. Did any instance of social ostracism ever come within your knowledge?—A. A man who works in my store said they brought charges against him in his church; tried to turn him out of his church; that a man wished him turned out of his church because he would not vote the Coalition ticket.

Q. Do you know of more than that one?—A. No, sir, I do not; any individual case; no, sir.

Q. What kind of an election did you have in Petersburg?—A. We had a very full election; the largest vote that has been polled there for years on both sides.

Q. Did you see or observe any illegal or violent interference with any man's right to vote that day?—A. No, sir; I saw no man prevented from voting that I know of. I saw men who I thought were trying to use improper means, but I cannot say any illegal means; that any man was actually prevented from voting.

Q. Did you have any disturbance at any of the polls?—At the fourth ward poll, at which I was, there was at one time a little disturbance there, but there was fortunately no damage done.

Q. You say it was not the policy of the Democratic party to draw the color line in that country?—A. No, sir; we had several hundred colored men there who would not vote the Coalition ticket; would vote with us, and we were trying to foster them, and have them with us, and of course it was not our interest to draw the color line.

Q. Did you observe any effect that the Danville riot had upon the vote there?—A. I did not. It was not looked upon as such a tremendous affair at all, until it was paraded in the newspapers.

Q. Did it appear to intimidate the colored people?—A. It did not. I don't know any man that was afraid to vote there either way. There was no effort, certainly, by white people, to prevent them from voting. There was some effort from men of their own color.

Q. Of course you had the news immediately, being in telegraphic communication with Danville?—A. Yes, sir.

WILLIAM LONG sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. Petersburg, Va.

Q. What is your occupation there?—A. I stay in the country; that is my place of residence. I have a farm in Sussex County, which I stay at most altogether.

Q. You are a farmer, then?—A. Yes, sir.

Q. Do you know anything about the drawing of the color line, about which we have heard so much here?—A. Nothing whatever, sir.

Q. Did the politicians or white people down there endeavor to draw the color line?—A. Not that I ever saw.

Q. You were in Petersburg on the day of election?—A. Yes, sir; for a short time. I came in from my farm and got to the polls about four o'clock, I think, and voted, and stayed there a very short time.

Q. Did you see any disturbance while you were there?—A. Yes, sir; right in the midst of it.

Q. State what it was, please.—A. As far as I could see, it was intimidation on the part of some of the blacks to prevent a black Democrat from voting.

Q. Can you give us details of it?—A. No, sir; I cannot.

Q. Did you see the disturbance and hear the words spoken by the parties interested?—A. I only noticed the remarks of one man; that was a colored man by the name of Jim Holmes, a letter-carrier in the city. There was a colored Democrat went up to vote, and he went to hand in his ticket. This man Holmes says, "This is not the ticket you want to vote," and handed him another ticket, and says, "Here is the ticket you ought to vote;" and then there were several words spoken afterwards that I didn't take any note of; didn't think there would ever be any difficulty or anything said about it afterwards, and I took very little notice; and just at that time General Mahone and his son rode up. They both went up in the crowd amongst the negroes, and the fight, I thought, would be a very serious difficulty; but nothing of any consequence happened.

Q. Well, give us the particulars. How did it turn out? You say there threatened to be a difficulty; why was it prevented, and so on?—

A. Well, it was prevented, I suppose, by the interference of the white men.

Q. Who threatened to make any difficulty? Who said anything?—

A. Nobody threatened to make any difficulty that I heard. During the difficulty that did occur there was a pistol taken from Butler Mahone—General Mahone's son—which I saw. I did not see the pistol taken from him, but I saw it after it was taken, and heard somebody say—I understood him to say—it is General Mahone's pistol; but it was not General Mahone's pistol; it was his son's.

Q. Very well. Now, how came there to be any necessity to take any pistol from young Mr. Mahone?—A. Because he drew it, I suppose.

Q. Who did he draw it upon?—A. He drew it upon the crowd.

By the CHAIRMAN:

Q. Did you see him draw the pistol?—A. No, sir; I did not see him draw it. I could see it after it was drawn. I saw it held up by some person, and I heard somebody say, "General Mahone's pistol." I understood it was General Mahone's pistol, but it was not his.

By Mr. VANCE:

Q. Now, there was a dispute over a colored man voting?—A. Yes, sir; that was the cause of the difficulty.

Q. Can you state who caused the difficulty?—A. This man himself.

Q. Well, you have only said he offered him another ticket?—A. Yes, sir.

Q. That did not necessarily produce a row, did it?—A. I don't know.

Q. Well, what led on to the difficulty, if you know, or quarrel, or threatened row—that the colored man had been offered another ticket and asked to vote another ticket?—A. Well, I do not know. I can't say exactly. General Mahone and his son came up just at the time this thing occurred, and there was some high words ensued afterwards.

Q. Well, those are the very things I want, if you can give them to us.—A. Well, very high words ensued between the parties, white and black. I took no part in it at all. I was standing looking on.

Q. Well, how did General Mahone and his son get into it?—A. They drove up in their carriage just at the time this boy went up to vote. General Mahone got out of his carriage and walked up and observed, "Let there be a free vote and a fair count." That is what I understood him to say. Then in a second or two his son Butler came up and got in the crowd and some high words passed. I don't exactly know for what they were, but Butler Mahone said, "Any person that insults my father I will shoot on the spot." Then his pistol was taken from him.

Q. But still that does not exactly explain; who said the high words and who interfered with the negro's right to vote after the ticket had been offered to him?—A. Well, I have just told you that the only interference that I saw was by that man Holmes, who took the ticket from the negro and told him that was not the vote he ought to vote, and then handed him another vote, but whether the boy voted or not at all I don't know. I saw him turn off from the polls. This boy, Holmes certainly tried very hard to intimidate him.

Q. Well, can't you recollect what he said, "That this ain't the vote you want; here's the one." Can you recollect any more than that?—A. No more than that.

Q. How close were you to the party?—A. About as near as I am to you.

Q. Well, that difficulty, whatever it was, arose by one party trying to keep the colored man from voting as he pleased and the other wanting him to be allowed to vote as he pleased?—A. Yes, sir.

Q. But who said the high words, and what led on from one thing to another you are not able to say?—A. I am not able to say.

Q. Is that all the disturbance you saw that day?—A. Yes, sir; all that I saw that day.

Q. Did you see any violence other than that you spoke of offered to voters that day at all?—A. No, sir.

Q. No interference with a man's right to vote?—A. No, sir; none at all. I staid at the polls but a very short time; it was 4 o'clock when I got there from the country.

Q. Did you regard it as a fair election?—A. I did.

Q. And as a peaceable election with that exception?—A. With that exception; yes, sir; very peaceable.

By the CHAIRMAN:

Q. All that you heard young Mr. Mahone say was that if anybody insulted his father he would shoot him?—A. Yes, sir.

CHARLES A. JACKSON sworn and examined.

By Mr. VANCE:

Q. Where do you live?—A. Petersburg, Va.

Q. Were you present there on the day of election last fall?—A. The 6th of November? Yes, sir.

Q. Did you see any disturbance at the polls during the day?—A. Yes, sir; I saw two or three little disturbances.

Q. Describe them.—A. The first one was brought about by an old white man by the name of Moore attempting to vote, and he was challenged by a Coalition policeman, and that caused a little disturbance, which passed over. I was present when General Mahone came up in

the crowd, and a negro man by the name of Jim Epps was trying to vote the Democratic ticket, and he had attempted to vote once before, and a United States negro mail-carrier, who was at the polls all that day, handed him a ticket and, says, "This is the ticket for you to vote;" and the negroes crowded around on one side and the whites on the other, and they hustled the boy about considerably, and after while he was about being voted, and this negro Holmes said to him, "Is not your mother a black woman?" and some Democrat in the party asked this negro Holmes, who was half white, he says, "Was not your father a white man?" and the negro voted, and started off. But General Mahone was in the party; he had a cigar in his mouth; he said he came there intending to see fair play, and he intended to have fair play, and two or three Democrats, the name of one of them I remember was Charles Slaughter, said yes, that was just what they were there for, and they intended to have fair play. Well, then there was considerable excitement. General Mahone swore a little, and the Democrats swore a little. There was a dividing line—there was a bar run across the door—and there was a dividing line, and General Mahone was on the side of the colored people, and the white people were on the other side. They have two sides for voting, and they shoved General Mahone around pretty roughly; and in the meantime Butler, his son, ran in, and he ran up in this direction [indicating], and threw his hand this way [putting his hand in his hip pocket]. I was standing directly in front of him. I thought he was going to shoot me, but I knew very well he would not shoot me if he knew me, because I was a friend of his and also of his father. I did not hear him say anything, but I just saw a determination to pull that pistol. Well, he got it about half out, and there was a white man there named William Thayer who smacked it out of his hand on the ground, and this negro Holmes that I have just mentioned grabbed the pistol up and tried to put it in his pocket; but there was a young white man there by the name of Jack Shelly caught it, and they had a great scuffle there for that pistol, in which I suppose fifteen or twenty joined. At last Shelly succeeded in getting it away from Holmes, and he very excitedly held it up and says, "I have captured a pistol"; and the crowd of Democrats cried out, "Whose pistol is it?" and he hollered, "Billy Mahone's." Well, it was his son Butler's; and the Democrats yelled, "Keep it! keep it! keep it!" During all this time the crowd was around Mahone and around me, and I would have liked to have got out of that crowd, to tell the truth; it looked to me like there was a going to be a terrible collision. I saw General Mahone lifted in the air off his feet by somebody, whether it was by friend or foe I do not know; but he stepped over this pole, or was pushed over, and the white people pressing Mr. Long, they pushed him, and those two came together.

Q. Collided?—A. They collided. Well, myself and two or three others shoved back the white people, and some kept back the colored people, and we advised peace, and after awhile General Mahone said some "damn rascal" had struck him. Well, I says, "General, nobody struck you, and nobody shall strike you;" and there was Mr. Paige and myself stood there; he steps over and says, "Yes, there is a damn scoundrel that struck me;" and he says, "I will give a hundred dollars for his name;" and he walked up and down in front of the polls, and at last he says, "There was a man with a scar on his face that struck me." I says, "General, there is no man with a scar on his face around;" and after a while he got in his carriage and rode off. That is pretty much all I know about the trouble with the general.

Q. Now, the part of the story we are most interested in is that relating to the obstruction of the voter. Who was it that seemed to be trying to prevent his voting?—A. Well, sir, this negro, as I said before, he was a United States mail-carrier; he was there at the polls all day; he was a checker or canvasser; I don't know exactly what position he had, but he was in his uniform there all day, a letter-carrier.

Q. Well, did anybody else back this negro letter-carrier in his effort to stop the colored man from voting the Democratic ticket?—A. Yes, sir; there were one or two white policemen there who backed this colored man up. This policeman, instead of attending to his business there to preserve order, was acting as challenger for the Coalition party there that day until Mayor Jarrett came up and was appealed to by several Democrats, and was told that that man would create a riot unless he stopped it; and the mayor ordered him to stop challenging; that his business there was to preserve order.

Q. Now, did the collision on the part of the Democrats—the white men—seem to be in order to enforce the colored man's right to vote?—A. It did in that instance.

Q. That is what produced the trouble?—A. Now, what produced the trouble there was Butler Mahone understanding that his father had been insulted.

Q. Whereas he had not been?—A. He had not been.

Q. I was going to ask you what the immediate occasion was for General Mahone saying anything about there wanting to be a fair election.—

A. Well, it was getting pretty late in the evening, and whenever one party got a vote in they cheered, and the general was in the crowd, and I suppose that worried him or fretted him and thought that was an insult to him. I do not suppose any was intended.

Q. Do you mean the cheering was when the colored men voted?—A. Yes, sir; when he voted the Democratic ticket. It was late, and when we got in votes our side would cheer, and when they got in votes they would cheer.

Q. Was there anything said about this man's having Funder money?—A. Well, I have heard it stated——

The CHAIRMAN. Well, what you have heard you need not tell.

The WITNESS. Yes, but I did not hear it myself.

By Mr. VANCE :

Q. You did not hear anything of that sort?

The CHAIRMAN. What you heard afterward about what occurred there is not competent.

By Mr. VANCE :

Q. Did General Mahone's remark appear to be addressed to the crowd?—A. What remark?

Q. That they wanted a free ballot and a fair count?—A. I didn't hear that.

Q. Did that appear to be addressed to the crowd?—A. Well, sir, he saw that he was as much interested in it as any of us; that is all I can say. I answer that question in that manner—I do not know.

Q. Well, you know the remark may be addressed generally to the good behavior of the crowd, or may be addressed to a man's partisans; how was that?—A. Well, he used his language very positive that he intended to have fair play; that is my recollection of it; I did not hear him say that he intended to have a free count and a full vote; something like that; I did not hear that; he intended to see that there was

fair play; that is my understanding and recollection of what the general said.

Q. Well, was anybody showing unfair play?—A. No one that I saw. I forgot to say one thing. When the crowd yelled and hollered, "Keep that pistol," the general says, "Yes, and I have got one, too"; and as he stepped over the dividing line some man had him around the waist, here, and he unbuttoned both of his pants pockets. I do not know what he had in them. He says, "Yes, I have got one, too," but he never drew it or never showed it, or never put his hand in his pocket.

Q. Just unbuttoned his flap?—A. Just unbuttoned his pants; the waist might have been a little tight.

By the CHAIRMAN:

Q. This was late in the evening, was it?—A. Well, sir, I judge it was about half past 3 o'clock.

Q. There is nothing very striking or unusual in that kind of a turbulence in an election, is there?—A. Well, sir, we generally have rows up there in that ward. That threatened to be a little more serious than they usually are.

Q. Well, this thing of going up to a man and saying, "That is not the ticket you ought to vote; here's the ticket you ought to vote"; that would not be considered out of place anywhere in Virginia?—A. Well, from a man right at the ballot-box it would be.

Q. If he attempted to dictate or browbeat a voter, that would be so; but suppose you would come up and say to a man, "That is not the ticket you ought to vote; here's the ticket you ought to vote"?—A. Well, sir, I would not do a white man that way.

Q. Well, it would not be doing very wrong, in your judgment, would it?—A. I would not want to do it unless I wanted to get my head knocked.

Q. You would want to know whom you were doing it to?—A. Yes; I would that.

GEORGE L. MEANLEY sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Tappahannock, Essex County, Virginia.

Q. What direction is that from Danville?—A. That is in the eastern portion of the State, northeast from Danville, on the Rappahannock River.

Q. I will ask you if you heard about any riot in Danville before the riot occurred there?—A. I did.

Q. What did you hear—when and where?—A. Well, sir, you will have to let me tell it in my own way.

Q. Well, do it as directly as you can.—A. Well, sir, on the second of November I passed a place called Paul's Cross Roads, about 6 miles from Tappahannock (between 5 and 6 miles); I had been over to carry my wife, and as I came on by, there was a friend of mine, a carpenter, doing some work, who was standing in a door with a saw and hammer in his hand, and says, "Are you going to town?" "Yes," I says; "jump up and I will carry you along." I took him up in my rockaway, and he hardly took his seat before he says, "Have you heard the latest news?" I says, "The latest news! Why?" He says, "It is put in circulation that the negroes are about to rise up in Petersburg, Danville, or somewhere on the south side, the southwest; I don't know

where; they are sending down to Richmond for arms and ammunition and they are sending them up just as fast as they can." Says I, "Who have they applied to for arms and ammunition; have they applied to the governor?" He says, "I don't know; Dr. John Bowen told me they were sending them up." As soon as I heard that I says, "That is a lie that is gotten up by the Democratic party for keeping every white Re-adjuster there from voting, and force them into the Democratic ranks."

Q. What day was this?—A. This was the second day of November, about 2 o'clock; the day before the riot.

Q. When did you hear of the actual riot?—A. Well, sir, I will just show you. I wrote a letter that has created a good deal of sensation in the State, and as soon as I heard it I says I will write to the Richmond Whig and give that the lie; because if that thing gets circulated around it will injure our vote in that county. Here is what I wrote to the Whig, and I signed that letter William T. Blake; didn't sign my name to it at all [handing the following paper to the chairman]:

A libel and an outrage upon the people of Essex.

The Richmond Whig, in its issue of Tuesday, the 6th instant, published the following letter:

ANOTHER LIE NAILED.

[For the Whig.]

PAUL'S X-ROADS, ESSEX COUNTY, VA.

November 2, 1883.

A prominent Funder puts the report in circulation here to-day that the governor is sending arms and ammunition forward, with all possible speed, to Lynchburg or Danville (he had forgotten which), and troops also, as the negroes were in a state of insurrection at that point; and wanted to know if white men in Essex County were going to vote with such a crowd as that. I pronounce it an infernal lie, gotten up to help the Democrats.

WM. T. BLAKE.

Q. This is dated on the 3d?—A. Yes, sir; I will tell you how that was. I wrote that on the 2d, just as soon as I got home. I said, just as soon as I get home I will write to the Whig and give it the lie. This is Friday, and the letter won't get to Richmond until Saturday night, and it will come out on Monday, which will be in time. That was on the 2d when I wrote to the Richmond Whig, but I never put it in the post-office, for the simple reason that there is a young man in there who knows my handwriting.

Q. I do not care about that.—A. Well, I write in a very peculiar style and do not put it in the post-office; generally give it to the driver of the mail wagon. I went and left word for him that I had something to send by him. Well, the next morning, just before I went down town, I happened to think about this note, and put my hand on the place and found the note there; he had failed to call for it. That was Saturday morning, the 3d. I then broke the note open and dated it the 3d, or rewrote it, I don't know which, and then went down. The boat passed there at 11 o'clock, or sometimes up to dark. That day it came just about 1 o'clock, and I then mailed that on the Fredericksburg boat going to Richmond.

Q. Well, you wrote this letter on the 2d?—A. Yes, sir; and redated it on the 3d. I then explained how I got that information, and I also wrote another communication telling them where I got the information from.

Q. Well, this is the point I want.—A. That very day, before that letter had got 25 miles from Tappahannock, Saturday, that riot occurred; but, you see, this Richmond Whig took occasion to say it was circulated all over the country; but I don't know whether it was circulated all over the country or not. It certainly was at Paul's Cross-Roads by Dr. Bowen, as reliable a gentleman as any man in the county—a practicing physician there.

Q. I will ask you if you were a judge of election at the election in Essex County?—A. I was, and have been for the last three or four years.

Q. I will ask you if you had any trouble in your county at the last election?—A. No, sir; everything generally passed off quietly down there at the last election. The county chairman, Mr. Selfridge, was there organizing this Coalition move. He organized them in squads—for instance, a captain of fifteen; that is the way he organized them, captains of fifteen, and he would pay these men for their work to bring out the full vote. Everything opened quietly as usual, and the thing was very even. The Coalitionists had a little more than the Democrats until between eleven and twelve I heard a drum beating, and I looked up and saw, maybe, in the neighborhood of twenty-five or thirty colored men coming. They had a wagon in front, and I think had an ox-cart all dressed up with flags, and I think there was, maybe, from twenty to thirty fellows on horses. They were all decked off in regular military style.

Q. Colored men?—A. Yes, sir.

Q. Is that the same party that was testified to by another gentleman here this morning?—A. No, sir; this was in Essex County. They had a little red badge, which just had "Coalition party" printed on it, and each one had that pinned on his coat, and some had little flags pinned on their hats, and some had them in their hands, but there was no arms except one or two fellows on horses, and some had old swords—I suppose some used in the war of 1812, and some in 1847, and some about 1863 or 1864, and some wouldn't cut down corn-stalks, and some wouldn't cut butter unless they were heated—just had them in military style.

Q. Well, you had a quiet election?—A. Yes, sir, until that evening a colored man, by the name of Coates—

Q. I don't care anything about that.—A. This came near being serious.

Q. This occurred after the election?—A. No, the same evening.

Q. Well, after the election was over?—A. This happened before the polls closed. That came very near being a very serious matter, but it was quelled by both the colored and white gentlemen, and the Democrats; both took a very active part in stopping it; both sides. There was a fellow by the name of Coates—colored fellow—fussy sort of chap. I was told the night before he was going to vote the Democratic ticket. They said, "All right, if you do vote it, we will stick up to you and see that you do vote it." I came about three-quarters of an hour before he came to the polls; four hundred votes had been cast before he got there; because I cast the four hundredth vote. I think there were four hundred and two or four hundred and three votes cast at that precinct; heavier than had ever been cast there before. Well, he came on horseback with a white man, and the darkies began to jeer him as he came in, just for fun, that is all.

Mr. VANCE. That is all.

The WITNESS. He got as mad as a hornet —

The CHAIRMAN. I do not think this at all necessary unless Governor Vance calls for it.

The WITNESS. Well, I will just state it because it came near being something serious; he came up to vote then, and some of them began to jeer him, and they began to quarrel down there, and at last they said, "What do you want to vote the Democratic ticket for?" and he run up to the part of the court-house where we were voting and slipped off his coat and says, "I can whip any man to my size in the crowd," and as he says so another man ran up and says, "Go in there and vote and come out and I'll whip the hide off of you."

The CHAIRMAN. Now, we are reporting all this and I do not care anything about it.

Mr. VANCE. I am very much interested.

The WITNESS. Now, when I begin to tell anything, I generally like to tell the whole thing.

The CHAIRMAN. I do not care anything about it. If there was any pertinency to the matter, in any way, it would be all very well.

The WITNESS. Oh, I will say that with the exception of that little row everything passed off quietly in that precinct; but I say it came very near being a very serious thing.

By Mr. VANCE:

Q. You wrote the letter to the Whig?—A. Yes, sir; it was a short note.

Q. Who was the "prominent Funder" who put "the report in circulation"?—A. A gentleman by the name of John T. Bowen, a practicing physician, a member of the Baptist church, and a friend of mine.

Q. What did he say?—A. He told a gentleman by the name of Barnes had asked him if he had heard the latest news; that the negroes were about to rise, or something like that; and when I fixed it up, put in regular newspaper form that the negroes were in a state of insurrection, and that they were sending arms as fast as they could for Lynchburg, Danville, or Petersburg, or somewhere on the south side; that is what he told me; and it must be sent by the Governor, because the Governor is the proper person to apply to for arms in case of insurrection. I added that, because I thought the Governor was the proper person to do it.

Q. He said the negroes were about to rise there in Lynchburg, Danville, Petersburg, or somewhere on the south side?—A. Yes, sir; and that the white men were armed.

Q. And they were sending troops there?—A. Yes, sir.

Q. And he told you that was a rumor?—A. Yes, sir; that Dr. Bowen told that that day.

Q. And upon that, you said that they had risen?—A. No, sir; in a "state of insurrection." You read it over good. Well, I have got it all by heart—"in a state of insurrection."

Q. Well, a man is not in insurrection until he has insurrected, is he?—A. Well, insurrection means an uprising.

Q. Where did you write this letter from?—A. I wrote that from Tappahannock, but I dated it Paul's Cross Roads, because that is where I heard the report.

Q. So you wrote the letter and gave it a false date and a false location, and signed a false name to it?—A. No, sir; that is not it.

Q. Why, here is "William T. Blake"; that is not your name?—A. No, sir; that is not my name.

Q. And you say you did not write it at Paul's Cross Roads?—A. I say——

Q. That is a false date, is it not?—A. I suppose it might be in that sense of the word.

Q. A false date?—A. No, sir; but I wrote it then, and failed to send it.

Q. Well, here are three false statements you made in that short letter?—A. Well, if you construe it in that way, of course you can take it in that way.

Q. I construe it just as you put it down.—A. Well, I will tell you why I put the name of Blake there.

Q. I do not care anything about why you put the name of Blake. A rumor that the negroes were about to rise in Lynchburg, Danville, or somewhere on the south side.—A. My informant had forgotten the particular town, but somewhere in those localities.

Q. Now, why did you give it with certainty Lynchburg or Danville?—A. I gave it just exactly as he told me, but I did not mention Petersburg.

Q. Or did not mention Richmond?—A. I did not mention Richmond, but Mr. O'Farrell read that piece from the Richmond Whig this morning. I will tell you why I put the name of Blake there.

Q. I do not care anything about it.—A. There was a colored man by the name of Blake lives at Paul's Cross Roads; he rents a piece of land from me, and I did not care about being known there as the writer of that, and put his name to it. You don't know what it is to live in that county and be ostracized.

Q. How did they ostracize you?—A. I am a mechanic.

Q. Did they turn you out of church?—A. No, sir; there are only two members that belong to my church, and if they turn me out there will not be but one in there.

Q. Have a tie vote every time and could not turn you out?—A. Yes, sir.

Q. Do they refuse to associate with you?—A. Well, they have got a peculiar way of talking, you know; ask you what in hell you belong to such a damned infernal party as that for?

Q. That is rather a peculiar way of speaking to a man.—A. I consider myself to be just as good as any man that lives in the State of Virginia, I don't care who he is; a prominent gentleman in that town came to me and said, "Old fellow, you pay your debts; you are an honest man, I know; you have a certain man who is a Readjuster because his father died, and he sold State bonds for 18 or 20 cents on the dollar; what makes this man a Readjuster, and that man? So, why in the hell do you stay in such a damned crowd as that?" Now, that is a devil of a thing to say to a man.

Q. Do they talk to you as Mr. Blake or Mr. Meanley?—A. As Mr. Meanley; as long as I was a Democrat I was all right; the first vote I cast was cast in your State, governor; I lived in North Carolina.

Q. I am surprised that a North Carolina man should write such a letter as this.—A. I wanted to stop such a report from circulating; there are not less than seven white Readjusters in that precinct, and our party would have lost seven votes by that report; that is what I believe.

Q. Did they all vote the Democratic ticket when they heard of the sure-enough riot that had happened?—A. I do not know whether they did or not.

Q. If they had heard the rumor they would have gone and voted it, and if they had heard the fact they would not?—A. I know the work-

ing of the different politicians there better than you or anybody else, and my friend by my side [indicating] can tell something about it if you try and pin him up pretty tight about it.

Q. Well, you had a row at the polls at Tappahannock, didn't you?—A. Well, sir, a little kind of a fracas, at least.

Q. How many colored people came into town in military array, and took possession of the polls?—A. They did not take possession of the polls; I deny that charge.

Q. How many came in?—A. I suppose from 125 to 135, as near as I can get at it.

Q. How many voters are there at that precinct?—A. I don't know exactly how many.

Q. Oh, well, give a guess.—A. Oh, there were more than 400 votes cast last fall, white and colored, and sometimes the colored is 60 or 70 majority.

Q. I am not asking anything about the majority, now; I am just asking about the number.—A. Well, there were 403 or 404 votes cast at the last election.

Q. And you say there were 150 or 175 came in this procession?—A. No; 125 or 130.

Q. There were nearly one-third of the voters came in in military array there, then?—A. Yes, sir.

Q. What time?—A. I think it was between 11 and 1; I cannot say exactly.

Q. How many had guns?—A. Not a one of them; was not a gun on the ground.

Q. How many had weapons of any kind?—A. I suppose from four to six had these old swords I just mentioned.

Q. Why did they have these swords?—A. Well, just riding ahead to direct the column.

Q. Could not they have done that just as well with a cornstalk?—A. Oh, yes; just as well.

Q. But they got these swords?—A. Oh, well, you know our colored brethren are very fond of martial array.

Q. How many had clubs?—A. Not a one that I know of.

Q. Did any of them have pistols?—A. Not a one that I know of; didn't see a pistol that day, neither white or colored.

Q. By whose advice did they form themselves in that order and come up there?—A. They were formed, I suppose, out of town, because when they came in I heard the drum beating. I was at the polls, everything going on quietly, and they had this wagon. I think they had either 2 mules or 4 mules, or 2 horses or 4 horses; anyhow, it was a wagon in front, and I think that was filled up, and then I think there was an ox-cart; I think that was filled up, and then these others on foot.

Q. Go back a little to my question.—A. Yes, sir.

Q. Do you remember what it was I asked you?—A. You wanted to know whether they formed.

Q. No, sir; I asked you by whose advice they came in in that manner?—A. Oh, I do not know.

Q. Did you know anything about their coming?—A. No, sir; I was in the court-house.

Q. What did they say; did they make any shouts or exclamations?—A. I think I heard them cheer once or twice as they came up.

Q. What did they say when they cheered?—A. What did they say?

Q. Yes; what did they say?—A. The men themselves?

Q. The men themselves.—A. I did not hear them say anything at all. They came on down street and then came back in front of the court-house——

The CHAIRMAN. Now, if you will just answer the question fair and square——

The WITNESS. That's what I am trying to do; he wants to know what they said; I don't know anything at all that they said.

The CHAIRMAN. Then you ought to say you do not know and stop.

The WITNESS. Well, I don't know, then; don't know that they said anything at all.

By Mr. VANCE:

Q. What was the name of that colored man who wanted to vote the Democratic ticket and they would not permit him to do so?—A. His name is Coates; I don't know what his given name is.

Q. Who was it stopped him?—A. I do not know; he was quarreling with a man by the name of Buckner, but whether Buckner made the first attack or not I do not know, but this young chap Buckner is a young chap and rather fussy.

The CHAIRMAN. No; the governor has a right to a fair answer to his question, and then you must stop.

The WITNESS. Well, I will tell you everything I know. I do not favor either side. I vote the Readjuster ticket, but I have got just as many friends Democratic as Readjuster.

By Mr. VANCE:

Q. How long was it before the colored man was permitted to vote?—A. I suppose about ten minutes.

Q. Meantime he was subjected to the sneers and taunts and execrations of his own race?—A. Yes, sir.

Q. What did they say?—A. Oh, I do not know; I was up in the court-house when they were quarreling, and could not hear what they were saying. Oh, he is a regular talking-machine; he is a naturally fussy dorkie, and he cannot help it. I suppose he must have been born in a fuss.

Q. Well, how came he to have his coat torn off?—A. Oh, he pulled his coat off as he ran up to the porch; I will swear to that.

Q. You have not been swearing to all the rest you have said?—A. Well, I will swear to that; yes, I will swear to the other; yes, I will swear to everything. He just ran up to the porch, and slipped out of his coat, and says, "I can whip any man in the crowd."

Q. Where were you in the court-house?—A. There was a plank across the door, and a table there, and I was standing right against that plank.

Q. What were you doing?—A. I was not doing anything.

Q. What business had you up at that plank?—A. Oh, I was a judge of election.

Q. Well, that is what I wanted you to say; you were a judge of election?—A. Yes, sir.

Q. You could see this man pull his coat off?—A. Yes, sir; he ran up, almost ran up, I suppose, right in front of me.

Q. Now, if you were that close, could not you hear?—A. Oh, they were down below, and this was after he pulled off his coat.

Q. You could not hear?—A. Oh, no; in a crowd like that you could not tell anything.

Q. Did not you hear them saying anything; denouncing, cursing?—A. Oh, no, sir; I suppose there were 200 people standing there.

Q. But you heard that?—A. He just ran up in very active manner and pulled off his coat.

Q. You say you heard laughing and jeering?—A. Yes, sir; but I could not see, because I had a large pillar standing directly in front of me.

Q. Do you know how he was saved from a severe beating?—A. I say it came very near being a serious thing.

Q. I know; I did not ask you about that, but who saved him from being severely beaten?—A. I do not think any one saved him; I do not think any one had any idea of beating him at all.

Q. You do not think anybody had any idea of beating him?—A. No, sir.

Q. How did it come near being a serious affair?—A. The serious part—Mr. Blakey, standing at your side, he came up before that and says, "What is the state of the polls." I says, "There are four hundred and three or four hundred and four."

By the CHAIRMAN:

Q. Has that anything to do with the question the governor asked?—A. Yes, sir; I want to tell how the fracas began. Well, Mr. Blakey was standing right by me as this man ran up there, and as soon as he ran up he says I can whip any white man——

By Mr. VANCE:

Q. Why did he say that? How did you know he was quarreling?—A. Because he was naturally a fussy darkey, and I knew the sound of his voice, and because I am a musical man, and if I hear a man's voice I can tell it again.

Q. You like to hear your own music, don't you?—A. Yes, sir.

Q. Chin music, too?—A. Yes, sir; and I can make it, too.

Q. So it seems. Now, if you will answer my questions we will get along a good deal faster. You said this man was quarrelsome, and he had no friends there except the white folks?—A. No, sir; I do not think he did.

Q. How do you know he was quarreling or merely trying to defend himself and get to vote?—A. I knew he was quarreling, because I could hear a dozen talking, and could hear him above the others, and because he was naturally a fussy darky.

Q. He had a right to make a fuss, didn't he, interfering with his right to vote? I ask you how he was saved from being beaten by the crowd, and you said nobody saved him, there was never any danger of his being beaten.—A. No, sir; I do not think there was a particle of danger.

Q. Now, I ask you how came this matter to be serious?—A. Well, sir——

Q. Was there any fuss except his?—A. Now, if you will let me tell it as it is—you ask me how the matter came to be serious. If you will let me go ahead one minute I will tell you just exactly how it occurred. My friend Mr. Blakey was standing there asking me what was the state of the polls, and he had an old knife in his hand—it was not as long as that pencil, with a broken blade in it, and was either cutting a piece of pine bark or a piece of wood, I could not tell you which——

Q. Well, we want to know what it was, a piece of pine bark or a piece of wood?—A. Well, I will tell you just exactly how it is——

The CHAIRMAN. Well, Governor Vance, unless you really want this I will object to this kind of testimony. If the witness were in court he would be compelled to answer a question fairly and squarely, or the court would place him in arrest.

The WITNESS. Well, he wanted to know if the fellow was in danger of being beaten.

The CHAIRMAN. Well, why don't you stop there when you have answered?

The WITNESS. That is not the general way when I tell anything; I tell all that happened, and tell all the incidents and accidents, and everything that happened.

By Mr. VANCE:

Q. Now you say it came very near being a serious affair, and yet you say nobody saved this man from being beaten; now what made it serious?—A. Mr. Blakey made it with that knife in his hand; he was the one that made it very near serious, when he had no intention of doing it at all.

Q. Did he threaten anybody with his knife?—A. No, sir.

Q. How did he make it serious?—A. Because he had his knife in his hand; now, you see, I have begun telling a long tale, and if you will let me go on and tell it —

Q. Well, I think we had better stop it.

(The chairman submitted the following letter and circulars from S. J. Quinn, whose testimony is on page 733:)

FREDERICKSBURG, VA,
March 31, 1884.

DEAR SIR: I inclose you the circulars issued here in reference to the Danville riot, to which I alluded in my evidence last Thursday before your committee on the Danville investigation.

Very truly, yours, &c.,

S. J. QUINN.

Hon. JOHN SHERMAN,
Senate Chamber, Washington, D. C.

[Star—Extra. Fredericksburg, Va., Sunday, November 4, 1883.]

BLOODY RIOT IN DANVILLE—ONE WHITE MAN KILLED AND SEVERAL WOUNDED—FIVE NEGROES KILLED—NUMBER OF WOUNDED UNKNOWN—THE IMMEDIATE CAUSE, NEGRO INSOLENCES.

Never before in the political history of Virginia were the issues more momentous than those now presented to the people for their most thoughtful consideration. We do not pretend to be prophets of evil nor alarmists in warning the white people of the impending danger to themselves and their State by which they are now menaced. The Star has endeavored, throughout the canvass, to deal with sober and earnest truths. We have laid before our readers time after time the fact that Mahone has sought, and not without success, to band the negroes in solid phalanx against all the whites who refuse to yield to his despotic dictation, and who repudiate, scornfully, the proffer to "bend the crooked hinges of the knee that thrift may follow fawning." We have implored the whites to be no less true to themselves and their race, than the negroes, who, in massing themselves, believe they are acting for the best interests of their race.

White men of Virginia, there is a determined "Black Army" in our front! To you we make our last appeal in this, the supreme hour of our dear Old Commonwealth's threatened danger, to rally as one man to the polls on Tuesday, and drive back Mahone, his "Black Army" and fawning parasites, who seek to place Virginia under Stalwart Radical domination! White men, remember, if you fail to discharge your whole duty in this contest, the riot in Danville is but the beginning of more serious outbreaks.

FREEMEN, TO THE POLLS NEXT TUESDAY!

Virginia calls her truest sons to the front. Will you not gladly obey your Old Mother's call?

The following special telegrams give a full account of the riot in Danville yesterday:

DANVILLE, VA., November 3.

A fight took place on the streets here this evening about 3 o'clock, in which Walters Holland, son of C. G. Holland, was wounded—it is supposed mortally—by a bullet in the head; Thomas Steward, of Rains & Steward, shot through the body; Richard

Valentine, through the hand, and the clothing of Capt. Joel H. Oliver was pierced with a bullet. On the part of the negroes, five men were killed. One girl had a leg broken by a bullet, and a man was shot through the leg. It is supposed that others were wounded dangerously.

HOW THE TROUBLE COMMENCED.

The immediate cause of the fight was a difficulty between Mr. Charles Noel and a negro named Horse Lawson. A negro man ran against Mr. Noel on the street near by where Lawson was standing. Noel called to him to explain his rudeness, and he apologized. Just then Lawson reprimanded the man for apologizing, and added, "What's he got to do about it? What can he do?" Noel then turned and gave Lawson some blows with his fist, and they were separated, although the whites and blacks on the street showed a disposition to take sides.

A NEGRO POLICEMAN INTERFERES.

A negro policeman stepped up with his pistol during the beating of Lawson, and a white man, thinking from his movements that he was going to shoot Noel, ordered him to lay his pistol down, and he did so. A negro in the crowd, near by where the conflict between Noel and Lawson was going on, knocked a pistol out of the hands of a white man and it exploded. In the mean time the Democrats of the city were holding a meeting in the theater about the articles in the Richmond Whig concerning the circular styled "Coalition Rule in Danville," and a speech made by Colonel Sims. They heard there was a conflict on the street, and came rushing down where the parties had gathered in a crowd near one of the stores. The negroes, to the number of two hundred and fifty, this being Saturday evening, formed in a crowd near by.

CURSING THE WHITES.

Pistols were drawn by some on both sides, and some of the negroes approaching the whites called out, "Shoot, damn you. We had as well settle this now as any other time." Just then the order to fire was given by somebody in the crowd. The firing commenced on both sides, and the streets were quickly cleared, the negroes running off in several directions, and some firing as they retired. The negro who shot Walters Holland ran off and escaped in the confusion that ensued, and no arrests were made. All the stores were immediately closed, and the people were going about with weapons in their hands.

THE ALARM-BELL RUNG.

The alarm-bell was rung, the Grays mustered under arms, and their sergeant (Wood) commanded the people in the name of the Commonwealth to go to their homes. Some said in a loud tone, "We will," and all went but the Grays and some accepted volunteers. The Grays, under orders of Mayor Johnston, are on duty on the streets, and a number of volunteers with them, some mounted. Everything now (9.30) is quiet. The reporter, in walking from one end of town to the other, met only two persons. The negroes here held big meetings several times recently, and have been addressed by several of their orators. An address was made here to them last night by Colonel Sims, which the whites understood to be very denunciatory. The South Boston affair has also made some impression here. It was plain this morning that trouble was near by, and prudent men were apprehensive.

THE MASS MEETING OF THE CITIZENS—RESOLUTIONS AFFIRMING THE TRUTH OF THE CITIZEN'S CIRCULAR.

DANVILLE, VA., *November 3.*

At a large meeting of the citizens of Danville, held this afternoon at 3 o'clock, the following resolutions were unanimously adopted:

1. *Resolved*, That we, the undersigned, residents of the town of Danville, in mass-meeting assembled, have examined the circular entitled "Coalition Rule in Danville, Va.," and signed by our fellow-citizens, W. T. Clark and others, and we certify that it contains a substantially true statement of the condition of things in town for the last eighteen months, the assertion of the Richmond Whig and our Coalition judge and mayor to the contrary notwithstanding.

2. *Resolved*, As law-abiding citizens we denounce the speech of W. E. Sims made in this city last night to a large crowd of negroes in Danville, in which many of our best

citizens were abused without stint, as the most incendiary and inflammatory harangue ever delivered in a civilized community, as calculated and believed to have been intended to incite riot and bloodshed. At the same time, the forbearance of our good citizens, who have thus far restrained their indignation, is an evidence of their desire to preserve the peace in this crisis, if it can be reasonably done.

The committee that prepared it are some of the best men in the city. The signers to it, so far from being "the most insolent, most overbearing, and most lawless people" of the city, are men the most peaceable and conservative, and most closely identified with the best interests of the city. They are warehouse men, dry goods merchants, grocers, carpenters, housebuilders, tobacconists, foundrymen, real estate and insurance agents, tanners, cotton manufacturers. It is reported that this circular has had a wonderful effect in rousing up the people wherever distributed.

WHITE MEN'S APPEAL TO WHITE MEN—WHAT WE MAY EXPECT UNDER MAHONE RULE—ADDRESS OF THE MERCHANTS AND BUSINESS MEN OF DANVILLE TO THE WHITE MEN OF VIRGINIA.

We, the undersigned, of the merchants and manufacturers and mechanics of the town of Danville, Va., earnestly request that you will permit us to lay before you a few facts from which you can form some idea of the injustice and humiliation to which our white people have been subjected and are daily undergoing by the domination and misrule of the Radical or Negro party, now in absolute power in our town, and under the leadership of William Mahone, seeking to extend and perpetuate its power all over the Commonwealth.

By the census of 1880, Danville contained 7,526 persons, of whom 4,397 were colored, and 3,129 were white. The population of the town has increased greatly since that time, and the proportion between the numbers of whites and blacks has also increased, there being a much larger proportion of blacks now than in the year 1880.

The taxes actually paid by the inhabitants of the town for the year 1882, upon property exclusive of license taxes for its corporate uses, exclusive of taxes paid to the State, amounted to over \$40,000 in round numbers, of which only \$1,206.63 were paid by the blacks, making \$38,894 more of money paid for the support of the town by the white people than was paid by the negroes. Out of the total sum derived from taxation upon property, \$2,000 were appropriated to the education of the negro children of the town—a sum, it will be seen, \$794 more than the entire amount of tax paid by the whole negro population. So it appears that the negroes of the town do not contribute one single dollar to the use of the town, towards paying the interest upon its corporate debt, the improvements of its streets, the maintenance of its public works, the pay of its officers, and its incidental expenses of government. But on the contrary, every dollar, and much more besides, paid by the members of that race in the nature of taxes, is returned to them and applied to the education of their children.

Up to the session of the last legislature the town was not divided into wards, but voted as a single precinct; and in that way the council was generally kept in the hands of the white people. But the negro party, desiring to get complete possession of the town government that they might share in the offices as well as levy upon the treasury of the whites whatever they thought proper, applied to the legislature and obtained an amendment to the town charter requiring that the town should be divided into three wards, and that four councilmen and one justice of the peace should be elected from each ward. From the localities in which the negroes had herded themselves, it was totally impracticable to so run the ward lines without creating two wards in which the negroes had a large majority, and this they and their white leaders knew. The result was that they elected seven out of twelve of their candidates for the council and their candidates for justice of the peace from each ward.

Then began the deeds which have so humiliated us in our own estimation, and made our town, once so noted for wealth and enterprise, a by-word for shame and reproach from one end of this land to the other. Wherever it was possible for anything to be done by the council or its magistrates that would irritate and wound the pride of the whites, it was executed with the keenest relish. Out of nine policemen—four *negroes* were chosen—something before that time unknown in the history of the town—two of them acting not only as *policeman*, but one as a *health officer*, and the other as *weighmaster at the public scales and clerk of the market*. Out of the 24 stalls and stands at the market place, 20 are *rented out by the council to the negroes*. The scenes about this important and attractive institution (attractive in all cities) will give any person visiting the town a fair idea of the general state of the government under the negro rule. The market, once occupied in all its stalls by polite white gentlemen, with their clean, white aprons, and the most enticing meats and vegetables upon their boards, is now the scene of filth, stench, crowds of loitering and idle negroes, drunkenness, obscene language, and petty thieves. The white men have been driven out and forced to take up private places for vending their meats and vegetables, and

the public market, erected by the money of the white people and intended to be occupied by men at least courteous and cleanly, has been converted to the use of squalid negro hucksters, and presents a spectacle of loathsomeness positively repulsive to any person who has the least idea of how a market should be kept.

The whites of the town are powerless to prevent this outrage upon their rights.

The police court of the town is another scene of perpetual mockery and disgrace. There the most active justice is a young negro named Jones, who first became famous by seducing a girl under promise of marriage, and was only saved from conviction, upon indictment, by the evidence of his partner in a junk-shop, who swore that he had had criminal intercourse with her before Jones. This court, which, before the negro régime came into power, was only open a few hours every morning, is now practically open from morning till night, and nothing but actual observation can convey the least idea of the travesty of its transactions. Malice and partiality, whenever there is a motive, and ignorance, in its absence, are the rules of decision. The officials of the court, justices and policemen, co-operate in the work to make fees, and every act of word or deed of the citizen, whether atrocious in its character or too frivolous for the law to take notice of, is brought before a justice, and the party, if not fined, is required to pay the costs; and if there is more than one party, the cost is doubled and both parties made to pay costs. White men are arrested for the most frivolous acts by negro policemen and borne along to the mayor's office, followed by swarms of jeering and hooting and mocking negroes, and tried, fined, and lectured and imprisoned by a *negro* justice, and then followed to the jail by the same insulting rabble.

At the October court of this year two of the party magistrates were removed from office by the judge of the hustings court, one for embezzling the money of the commonwealth, the other for "causes sufficient to the court," and one of them has fled the town to avoid indictment.

The notoriety which this state of things in our town has produced has attracted to the town large numbers of idle and filthy negroes from the border counties of North Carolina, and from Halifax, Mecklenburg, and Charlotte, Va. Although there is a law against vagrants, they are never disturbed. They infest the streets and sidewalks in squads, hover about public houses, and sleep on the door-steps of store-houses and the benches of the market place. They impede the travel of ladies and gentlemen, very frequently forcing them from the sidewalk into the street. *Negro women* have been known to *force ladies* from the pavement, and remind them that they will "*learn to step aside the next time.*" *In several instances white children have been struck by grown negroes.* We know of several cases where the *lie* has been given to a white lady to her face by a negro. It is a very common practice for the negroes who are employed about our houses to allude to white ladies and gentlemen as *men* and *women*, and to negroes as *ladies* and *gentlemen*. This is a practice almost without exception with the negro women. They do it to irritate and throw contempt upon the white race. A short time since, when the town was in great excitement over the murder of a respectable gentleman and farmer of Pittsylvania County, in his wagon, while on his way home from Danville, by *three negro highwaymen*, a negro man in the town stood in the center of a crowd of his friends, with a pistol exhibited on his person, and with threatening gestures and loud oaths declared that he wanted to "start a row with some d——d son of a b——h of a white man, that he might kill him."

Now, fellow-citizens, we cry out to you in our affliction to deliver us from this awful state of *humiliation and wretchedness*. We know that as a rule the cries of the wretched make but little interruption of the general progress of things. The sun rises and sets all the same, and the work of the Government and the work of the feast and the torture goes on with exactness and tranquillity. But we appeal to you by that sympathy which constitutes the bond of union between honorable men struggling in the cause of freedom, to help us throttle this viper of *negroism* that is stinging us to madness and to death, by *voting against the Coalition-Radical candidates who are yelling and screaming with delight at the prospect of fastening its fangs into us forever.*

We appeal to you to say, do you think it is just that we should contribute *every cent* to the maintenance of our town, pay our town debt, and appropriate not only all the negro pays in the way of tax, but much more besides, of our own money, to the education of his children, whom he raises upon our money to be our bitterest enemies, and then let him have possession of our town government, too? Is it right that the negro should have all this given him and then be allowed to control our offices and plunder our treasury besides?

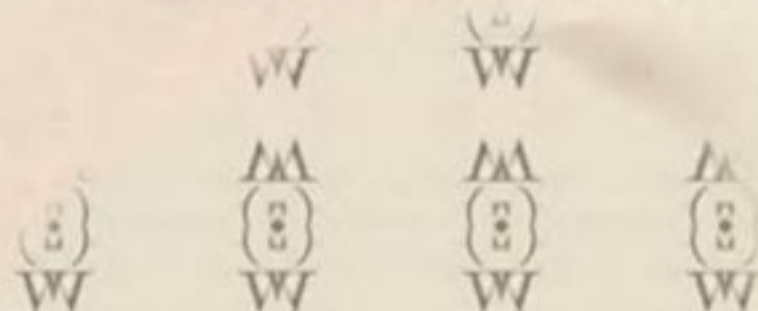
It is an injustice at which we know your humanity will revolt.

It is the injustice of the frozen serpent, which, after being warmed into life by its benefactor, stings him to death.

Help us, fellow-citizens, by voting for the Conservative Democratic candidates for the legislature, for *unless they are elected we are doomed.*

(Signed by:)

W. T. Clare, merchant; Jas. W. Bruce, merchant; C. M. Hendrick, builder; J. G. Cov-



ington, tobaccoist; Redd & Jordan, warehousemen; Daniel Coleman; J. E. Schoolfield, merchant; A. G. Fuller, tobaccoist; Hamlin & Hinton, merchants; C. H. Norton, contractor; Geo. A. Lee, tobaccoist; Gravely & Burton, grocers; J. B. Westbrook, foundryman; Thomas L. Poindexter & Son, warehousemen; Ruffin, Woolfolk & Blair, real estate and insurance agents; John W. Holland, tobaccoist; W. P. Graves, warehouseman; J. — Covington, tobaccoist; R. B. Graham & Bro., builders; S. M. Holland; E. L. & A. Gerst, tanners; Morotock Manufacturing Company.; Booth, Wooding & Booth, merchants; Estes & Wooding, merchants; W. N. Shelton, tobaccoist; Lea & Jordan, warehousemen; Harry Walker; Ed. S. Ragland, foundryman.

THOMAS FRICKER sworn and examined.

By Mr. VANCE:

Question. Where is your residence?—Answer. Ashtabula County, Ohio.

Q. Have you been in the South any time?—A. I have. I was there in 1876, 1877, and in 1878, and also in 1882 and 1883.

Q. What part of the South were you in?—A. I was in North Carolina in 1876, 1877, and 1878.

Q. During the time that you were in the South did you form any opinion concerning the disposition and conduct of the colored people?—A. I did.

Q. Habits, &c.?—A. I took, perhaps, more interest in those matters than I otherwise would, having been born and bred up in the old home of Benjamin F. Wade and J. R. Giddings; lived in the same town and same street a few doors from them.

Q. What part of North Carolina did you observe them in?—A. I was about 60 or 70 miles west of Raleigh over a year, and then I was down near Thomasville; off south of Thomasville, back in Montgomery and Davidson Counties.

Q. You were in an agricultural part of the State all the time?—A. Yes, sir.

Q. When did you go to Danville?—A. I went there first some time in the summer of 1882, and I was there quite a number of weeks during the summer time.

Q. Were you there again in 1883?—A. Yes, sir; I was there again in 1883 until just before the election; I was there during the hottest political canvass there—

Q. My question about your residence in the South, and your observation of the colored people, &c., your interest in them, leads up to this question: When you went to Danville in 1883 did you observe any marked difference in the conduct of the colored people from what you had always before that observed?—A. Yes, sir; I did; very much so.

Q. How did you find them generally in the country when they were segregated?—A. I was in North Carolina in 1876, and had about 75 colored men working for me. We allowed no politics to be discussed at all, either by Republicans or Democrats, white or black. I found that the same feeling prevailed there that does at the North; that a colored man in order to be true to himself and true to those whom he erroneously believes gave him his freedom, he must be a Republican, and to be anything else and of color he must be a fit person for hell. Now, among our 75 men we had working there, there were a few Democrats, and it became necessary, in order to keep peace and pursue our work in safety, we had to discharge those men. They were in a minority, and we couldn't work black Democrats with black Republicans—not our kind of Black Republicans north.

Q. Such was the intensity of feeling on the part of the black Republicans against the colored Democrats?—A. Yes, sir; and they got in

such a state that they got our boys in jail, quite a number; had them indicted for assault and battery.

Q. How did you find them in their demeanor toward the white people?—A. I found they were very peaceable; very quiet and respectable, honest, and very courteous. It seemed that those old habits that they had been taught and had instilled into them in their younger days still clung to them.

Q. Of subordination?—A. Yes, sir; and they were very contented; very much so. They thought a great deal of the privilege of voting, and we always gave them a holiday to attend the elections, and they always voted. There was no one there to advise them to vote either one way or the other. They held their tickets so closely that I was never able to see after their ticket was handed to them, I never was able to prevail upon them to see the ticket—to see how they were voting; couldn't do it; it was impossible.

Q. Now, when you found them in Danville in 1883 what was their demeanor?—A. The first year—to go back a little further than your question—in 1882, when I first came there, I found darkies there who seemed to be of another race almost, who had lost that characteristic of respectability either for himself, I thought, or for the whites, and he seemed as though he owned everything; the streets were all his; he run everything; the negro predominated not only in numbers but in rights, and I was wonderfully struck by it and considerably incensed, as Northern people generally are more than Southern people, I think. That is my experience. I inquired why it was that the darky appeared to be so important and all this. I learned after awhile that the darkies were all in league with the Mahone element, and when Mahone was elected to the Senate, I understood he went as a Democrat, and we so considered it in Ohio. As old Ben Wade said, "Slavery was in league with hell," and we thought that when the Republican party formed a league with Mahone that they formed a "league with hell." That was the expression often used there among rabid Republicans, as pretty much all of them are, and I couldn't understand why they should vote with the party that supported him, but I found they did, and I could see that it was easy to discover by seeing who the men were who appeared to lead them. I boarded for quite a number of weeks with the assistant revenue collector or deputy collector—Verser is his name, I think—and sat at the same table and discussed politics with him a great deal, and I learned from him that the time Fernald, I think—I think he was at the time acting collector, and I think he is the man who, at last, went to the insane asylum—he and Raulston were then working at the same office, and I said to him, "How either of you fellows can expect to get that office from a Republican administration, is a stumbling-block to me," says I. "Well," says he, "one of us is going to have it." "Well," says I, "suppose some good respectable Republican comes up with good, fair backing from the Republicans in the State, do you suppose you are going to win against such a Republican?" He said it didn't make any difference. I think that Verser had the backing of the governor, and Raulston had the backing of Mahone. He said "it didn't make any difference; if Raulston gets it, I am to be his assistant, and we are to divide the fees; if I get it Raulston is to be my assistant, and we are to divide the fees." I says, "That is a queer kind of a Republican." Says I, "What is the object; what is the gain to you; what is your gain? All of the white people here are certainly Democrats." "Oh," he says, "there is a big following here that is not Democrats." "Well, then," says I, "it must

be the negroes," says I; "if you fellows lead the negroes simply for the purpose of getting office"—

The CHAIRMAN. Who was this?—A. He was one of the leading Mahone men there.

Q. Who was it?—A. Verser.

Mr. VANCE. He has been a witness here.

The WITNESS. I said, "If you want to lead them you must be responsible for these devils." Says I, "We wouldn't stand it fifteen minutes." The next year I went back and I found it still worse.

By Mr. VANCE:

Q. That was in 1883?—A. Yes, sir; and nearly every day during my stay I rode out, and one thing that perplexed me—and I was in hopes of being arrested for having trampled one of the fellows under the horses' feet—they made a practice, I noticed it two or three times in my experience, two or three negroes would see a carriage coming and would start across the street and would be sure to fetch up, if you were driving then, right in front of your horse. Of course you would have to slack up, and so I did slack up, but I saw it got universal. Says I, "Do these negroes all get in front of the horses?" They says, "Yes, it is a habit they have got." Says I, "The next time they do it with me I am going to drive on them if the horse will step on them," and I hurried right up and came very near getting one under, but missed it. One Saturday evening I was walking up one of the streets on those lines of stone—there are two lines of stone up the street—and a gentleman and lady with me, and I was with the daughter behind. The gentleman stepped off to the right and the lady stepped to the other stone, and the lady that was behind with me stepped on this other stone, and a colored woman coming down the hill at a pretty good jog, and just as she got to this young lady she gave her a nudge with her shoulder and sent her right against me. I stopped, and I think I remarked at the time, that all that saved me from attempting to knock her over, was two big negroes just behind me; that was all; if it had not been for them I certainly should have struck her. I afterwards noticed cases where there would be four or five or perhaps six coming past, and if there was a wench and they wanted her to pass they would make way, and if not, she must hug up to the palings in order to let them pass. I never saw them step one side to let white ladies pass or white children, but a wench was entitled to full sway as though she was a queen. Right in front of where Major Sullivan lives is quite a negro settlement, and we used to be annoyed there by these children throwing dust. It was the only way to get up and down to ride there that way, and they would make a practice about three times a week of dusting us all over, and their mothers would sit there and see them do it; little children sitting there with a pile of dust and when we got there would throw it. These are things we would not tolerate, I knew, and when I went home in Ohio and told them how matters were conducted in the South—

The CHAIRMAN. What you said to them is not evidence here; only what you saw in Danville.

The WITNESS. That is all true, but I have been watching the investigation here and saw that it covered such a broad scope—

The CHAIRMAN. You thought you could do it?

The WITNESS. Yes.

The CHAIRMAN. Well, I object.

By Mr. VANCE:

Q. Well, you saw that kind of conduct, samples of which you have described, on the part of the colored people in Danville?—A. Yes, sir.

Q. Was there any cause apparent to you for this change in the colored men from one of subordination and respect to the white men to what you describe?—A. Not the least in the world. I couldn't see the least thing.

Q. Now, what was the general conduct and demeanor of the white people towards the blacks?—A. They always treated them with just as much courtesy as it was possible for a white person to treat a colored person. I never heard them say anything to them that was out of the way in the least, and I never knew of but one case where a white man touched a colored man, and that was when we were walking up. I was right behind about four, I think, white men, and as they were going along there was a young colored fellow, about 21 or 22, perhaps, was walking pretty close to the palings, and these four were grouped up here [describing], and of course by the others walking so close one had to step back here, to step around the colored boy, and he stepped in his place, but as these three come up right even with the fellow he quickened his pace a little and walked right even with them, I suppose, for a while, and this fourth one reached up then and took him by the collar, and he stepped into the place occupied by the darkey. I was just behind with another gentleman. That was the only occasion, and that was justifiable.

Q. You say they treated them with as much kindness as a white man could treat a colored man?—A. Yes, sir; as well as a white man could treat a colored man.

Q. Now, we are supposed to have got a little worse than the generality of white men. Do you think our friends in Danville treated them as well as your people would?—A. Better, sir; for I think if your people would nominate and elect to office one of them, I think you would go upon the bond, and I know of a case in Ohio, Geneva, Ashtabula County—

The CHAIRMAN. Now, that is all—

Mr. VANCE. Ohio is the sacred land you know. You must not say anything about it. We are not investigating that question; we will get to Cincinnati after awhile—the riots there.

The CHAIRMAN. All of that is very well, but I don't want to extend the evidence beyond proper bounds.

Mr. VANCE. I was just asking him if he noticed, and it is a competent question, as to how the whites really treated the colored people there.

The WITNESS. Yes; I was going on to tell how the whites treated some—

Q. How long before this riot were you in Danville?—A. I don't know the day of the riot.

Q. It was the 3d of November.—A. Well, I was there up to the middle or past the middle of October. I attended one of the Democratic meetings in the opera-house; heard their speeches there.

Q. What are your politics?—A. I am a Republican; it is a hard matter to be much else up there.

Q. Did you hear any Democratic orators make speeches?—A. Yes, sir; they were all Democratic.

Q. What was the temper of them?—A. They were very pacific indeed. I was particularly struck with a Doctor somebody, that was a candidate for the lower house. I think the doctor lives in Danville. I don't know that I would know his name.

Q. Dr. Keen?—A. Perhaps it was; but I remembered, and more

particularly noticed, his speech than any of the rest of them, because a good portion of it was directed to the colored men that were there.

Q. Well, was it kindly, or otherwise?—A. Yes, sir; decidedly so. He simply called attention to the fact that he had been a physician in their midst, and asked them if they could expect, or did expect, if they voted for him, that he would be any worse to them as a politician than he had been as a practicing physician; and I did not hear the last thing, but all of the conversations I heard of Democrats in Danville was that they must be united, and they must be vigorous if they expected to win, for they had great odds against them, and that was something I had been accustomed to at home.

Q. Did you hear anything like encouraging or countenancing violence?—A. Nothing at all.

Q. Or intimidation, or anything?—A. Not in the least.

By the CHAIRMAN:

Q. What do you say your business is?—A. I am a lawyer.

Q. What was your business down South there?—A. In North Carolina?

Q. Yes.—A. I was engaged in the mining business; that is, I had money tied up in the mines there, that I was looking after.

Q. You say you employed quite a number of hands?—A. Yes, sir.

Q. Did you live in Geneva?—A. No, sir; Ashtabula.

Q. Were you engaged in mining down there?—A. Yes, sir.

Q. You saw no difficulty between the whites and blacks except what you have mentioned?—A. Nothing at all.

Q. But they were intolerant?—A. They were, decidedly.

Q. What did you say your politics were?—A. I am a Republican.

Q. Did you not find intolerance sometimes among even white people?—A. Yes, sir, certainly; religion and politics as well.

Q. You say their relations were very friendly until last year, if I understand you. The relations between the races were friendly enough until last year?—A. Yes, sir. Well, I didn't hear of anything then, except the negroes seemed to be floating on top of the water all the time.

Q. Don't you know that at this time the color line had been drawn in politics strongly?—A. Yes, sir.

Q. Did you not hear the white men speak of these negroes in terms of opprobrium or reproach?—A. No, sir.

Q. You did not?—A. No, sir. Now, I have answered the question directly, I would like to answer further. They did, in connection with those who led them, and their leaders were white men, but I never heard a single word said by a white Democrat in the South against a colored man because he was a colored man, but it was simply because he followed and was led by these evil-minded men who did what they did simply for personal and political aggrandizement.

Q. Well, you know Raulston, I suppose?—A. No, sir.

Q. Well, this other man?—A. Verser? I know him.

Q. Wasn't he a respectable and decent man?—A. Well, sir, that is a hard question for me—

Q. Well, I don't press it.—A. Well, I don't know how to answer the question, but I should say not.

Q. Allow me to ask you if all the white people who voted with the colored people or Readjusters were bad people?—A. No, sir. I presume not. They were considered bad in their politics, but socially, morally—

Q. Were their politics different from your politics?—A. Yes, sir; they were.

Q. In what respect were they different?—A. There was a very radical difference.

Q. Were they not in favor of a free ballot and fair count; in favor of the Constitutional amendments and the rights of all men without respect to color?—A. I think not, except it redounded to their own glory.

Q. You had a poor opinion of their own men?—A. I had a poor opinion of Mahone Republicans.

Q. You are opposed to Mahoneism?—A. I am; and that is not Republicanism.

Q. Why?—A. Because he went into the Senate as a Democrat.

Q. Because he was in favor of a readjustment of the debt?—A. Because Mahone was?

Q. Yes, wasn't that it?—A. I don't know anything about the origin of his political life at all.

Q. What is there in Mahoneism that you say is so very bad?—A. Well, when a man betrays so sacred a trust as the position of United States Senator, I think the moment he betrays that trust he is as bad as that man was way back in Bible times that betrayed Christ.

Q. What did Mahone do except stand up to his own convictions; what did he betray?—A. He betrayed the Democratic party of the State of Virginia.

Q. Wasn't he supported long afterwards by a large class of people—the very men who sent him in?—A. I don't know anything about that.

Q. And your objection was on account of the refunding of the debt?—A. No, sir; I think that was a desirable thing to be done.

Q. Don't you know the Democratic party acquiesced in and supported that policy afterwards?—A. I am this kind of a man——

Q. Don't you know that the Democratic party stood upon that issue?—A. I know a portion of them did; yes, sir.

Q. And don't you know that the Democrats drew the color line in the last campaign?—A. I don't think they did.

Q. Is there any other difference in the two parties in Virginia?—A. I don't think they did. I don't know anything about that, though.

Q. Let me ask you if there was any difference in the position of the two parties in the last election in Virginia, except upon the color line?—A. Oh, yes.

Q. In what particular?—A. Well, I am not versed enough in their State politics, but I did hear discussed there a good many acts that they attempted to pass. There was one there in regard to tobacco inspectors. I think the Mahone legislature undertook to force that measure, and they claimed if that thing was done it was going to destroy the whole tobacco interest in Danville.

Q. Well, that was purely a local matter?—A. Well, it covered all over the State.

Q. What was there wrong about that?—A. I could see that any law passed whereby the greatest interest of the State was crippled would be an injury to the State; it could not be otherwise. One of the greatest interests in Virginia to-day is the tobacco interest.

Q. Well, what had that to do with this election?—A. You asked what was the difference between the Democrat and Mahone party, and that was one difference.

Q. Well, was that an issue?—A. Yes, sir.

Q. What was the issue; having tobacco inspectors?—A. Having tobacco inspectors that were to be appointed by the governor.

Q. The objection, then, was to the appointing of officials?—A. It was simply adding office to the political power of the governor and this party. That might do, but whenever they created an office they created a new man, and whenever they created a new man they created a new force and increased power.

Q. Then you object to having tobacco inspectors in Virginia?—A. Yes, sir.

Q. Was that debated?—A. Yes, sir.

Q. In the last election?—A. Yes, sir; in 1883.

Q. And the parties took sides on that?—A. Yes, sir; I don't know anything about Mahone; didn't hear his speeches, but I did hear these men.

Q. Do you know how Mahone stood upon that question?—A. I never heard his followers—his cohorts—speak on that question.

Q. Did you hear both sides?—A. No, sir; I am sorry now I did not.

Q. Now, don't you know that your interest down there was so identified with a certain class of people that you are not an impartial witness?—A. I don't know so.

Q. At any rate, you saw acts of rudeness on the streets?—A. I did.

Q. Couldn't you see those in Cleveland or any other place?—A. Perhaps I could, but never did.

Q. Well, have you not done it?—A. No, sir; I don't think I have.

Q. Couldn't you see it in Washington here?—A. No, sir; I don't think I ever did.

Q. And you saw some colored women crowding off white women?—A. Yes, sir; quite a number of times.

Q. And that was one of those terrible things that would justify any resort, I suppose?—A. There was an old motto in the fables of Æsop, "Not what is done, but what is meant to be done." I look at the motive. It looked to me one of those evil motives.

Q. Suppose the race-issue line had been drawn clearly, and that these colored people honestly believed that the white people who had formerly held them as slaves would not do justice to them or protect them in their rights, would not that naturally excite, especially among the women, some feeling?—A. It might, of course; would, naturally, because of their ignorance.

Q. All you can say about this matter, as I understand, is that you saw some rude people in Danville?—A. No, sir; that is not the whole of it at all.

Q. Do you think that was a justification for shooting them?—A. Now you are assuming that that is what they shot them for. Now, I don't suppose that is what they shot them for.

Q. Was there anything else you know of that would justify their shooting?—A. Yes, sir; their general conduct and general course.

Q. In what particular?—A. Shoving you off the walk; everything of that sort, and doing various things. Now I will give you an instance of their city park. It appears there is a lot there of perhaps 20 acres, with a natural growth of oak trees, that was laid off as a park. I couldn't understand why it was not finished up, and they said it was impossible to get any enjoyment out of it, because the seats were always occupied by negroes. I thought it was not so, and asked one or two negroes, one in particular, "Why don't you keep your people off the seats, so the city authorities could go and finish up the park and make it a very enjoyable place to go." "Well, you couldn't govern them—the negroes"—he said, and he was a negro himself.

Q. Because the negroes sat on the seats in the public park you thought

that was wrong?—A. No, sir; but when the money is paid in for the improvement of public property, taxpayers should have some enjoyment out of it; but then you cannot find a seat, and they said it was impossible to ever find a spare seat. It was not because they were really tired and sat on them, but they would lie upon them.

Q. But this was an open public park?—A. Yes, sir.

Q. Where all the poor could go?—A. Yes, sir.

Q. And you object to that?—A. No, sir, I don't; but I object to letting men, white or black, occupy more seats than they want—the same as your doorkeeper here would object to it.

Q. And you think that was a grievance?—A. No, sir. It is just exactly like nuts in a basket—one more don't make much difference, but you keep putting them in and after while the basket is filled. There is one more straw that always breaks the camel's back.

Q. And don't you think that the people should have the privilege of sitting on those seats?—A. I don't when they lie down on them.

Q. Don't you know that the same thing occurs in the public parks of the city of New York?—A. Where they lie down on the seats?

Q. No, not necessarily lie down?—A. No, sir.

Q. Why don't the policemen then interfere?—A. Do you suppose it would be possible to get a policeman down in Danville to interfere with a negro?

Q. The majority of them are Democrats. We have had them all here; know all about them; there are only two negro policemen there, out of nine.—A. Yes, sir; that is all so.

Q. Do you say they will not interfere?—A. Well, I never knew of it.

Q. And don't you know that a majority of the council there are white people?—A. Now?

Q. Yes, and have been.—A. Well, they might be white in skin, but they were not white in heart.

Q. You think that a man that would vote with the negroes must be a black man?—A. I think a man that would vote for a negro, not for the purpose of elevating his condition but simply to make him a tool for elevating himself, I think he is——

Q. What right have you to assume that; are you not very unjust in that?—A. No, sir.

Q. Then, according to your idea, it is perfectly right for the white people to combine and have one party, and have the negroes the other party, and not let them divide up?—A. No, sir; I don't say anything of that kind.

Q. Now, let me ask you, suppose men like you were in a majority in Danville, and had the right to elect all the officers, do you not suppose they would elect officers of their own way of thinking?—A. I think they would.

Q. Now, don't you know that the negroes, although they have always had a majority in Danville, have never yet elected the council, or a majority of any of the officers elected there of their own color?—A. Do you mean to assert to me that all those white men were Democrats in the council?

Q. No, I don't.—A. Ah, that's it.

Q. Do you mean to say that a man cannot vote with the negro and yet not be a decent man?—A. I say he cannot when he votes with the negro for the purpose of putting himself in power.

Q. What right have you to say he wants to trample upon the negro when he is acting for the negro?—A. But I say he does when he uses him for an improper purpose; he is trampling upon the negro's rights.

Q. Then I suppose your idea is that the white men should vote together to put down these negroes—to drive them again to slavery?—A. No, sir; that's not it, I don't think. I have always been of that opinion. I didn't expect to see absolute political purity or peace in the South until the colored vote is divided.

Q. Yes, but you would not have the white vote divided?—A. Yes, sir.

Q. But you say these white men who divide and go with the negroes are a set of rascals?—A. No, sir; I was a Republican in North Carolina.

Mr. VANCE. I think this is hardly testimony. It is just an argument between you and the witness.

The CHAIRMAN. I don't know but what it is, but I am very much surprised at what Mr. Fricker says, that he classes all of the men who vote with the colored men as improper, and he claiming to be a Republican.

The WITNESS. I don't say that; I say that any man that goes into his factory and requires his men to vote for his party, tramples upon their rights; and the moment a man does that, political franchise is not worth a snap of your fingers.

Q. Well, but suppose there was never a case of that kind; you don't say that tobacco men of Danville do that?—A. No; but I say the leaders of the colored men in Danville do that. They use the colored vote in Danville for their own purposes.

Q. Haven't you often heard it said that the Democrats use the Irish vote for their purposes; do you therefore denounce them?—A. I don't think they could use them for any other purpose.

Q. Then you have the same idea of the Irish that you have of the negro people?—A. No, sir; they are by nature Democratic.

Q. Why?—A. I don't know, without you trace it way back to Popery. You have to begin there.

Q. Then your dislike against the Irishmen is like your dislike against the negro in that respect?—A. No, sir; you took up the Irishman; I didn't bring him in; I give you my opinion.

Q. Well, you haven't the same opinion of him that you have of the negro as a basis of political power?—A. Yes, sir; I don't approve of any Democrat using the Irish vote simply for the purpose of elevating himself or elevating his party. There is no virtue in that kind of politics.

Q. Do you say they do do it?—A. No, sir; I don't say that they do; I don't think that they control the Irish.

Mr. VANCE. Mr. Chairman, I think I must object. We are not investigating the Irish vote.

The CHAIRMAN. I am very well satisfied.

By Mr. VANCE:

Q. If I understand your position, Mr. Fricker, you object to any man degrading those inferior in intelligence to him for the purpose of his own enfranchisement?—A. Yes; I do.

Q. Making use of him to get into position without doing anything for his real benefit?—A. I do, most seriously.

Q. Not caring what scrapes or troubles it gets him into?—A. I object to that in any party or individual.

Q. Whether Irishmen or black men?—A. Yes, sir; principle knows no color.

Q. And you saw a good deal of that while you were down there?—A. I did. I know I got a good many ideas from this man Verser—simply hearsay, between him and me—but I expect I got it because he

knew I was a Republican, and he is the only one I discussed politics with. I never discussed politics in Virginia. I thought the moment I got into it one statement would lead to another, and something that was not pleasant might occur, and I therefore abstained.

Q. Did you see anything there on the part of the Democratic or white employers, of factories or of farms or anywhere else, like forcing them to vote with them because they were in their employ?—A. No, sir; nothing of the kind. If they had attempted it of course they would have controlled it, for the employers there are all Democrats, I guess, almost universally. If they had adopted that rule there could have been no Mahone vote in Danville.

Q. Is it not equally true of the farmers? Don't they own all the land?—A. Yes, sir.

Q. The colored people could not even get homes but for them?—A. No, sir.

Q. If the land-owners and factory people had enforced that rule, that you must vote with me or you cannot live on my land, they would have had them completely in their power, wouldn't they?—A. They would, certainly. You will find it to-day that a Northern man going down there to-day, if he has any powers of observation, will find that the colored man is happier on the old plantation to day, just under his old master, than anywhere else.

By the CHAIRMAN:

Q. I suppose, then, you think that it is a great misfortune that that happy relation was ever disturbed?—A. If I should answer that question according to where your question would lead, you would have to call me then what would be called a pro-slavery Republican, if you could conceive such a man as that. That would be an absurdity.

Q. You think, then, the old condition of affairs ought to be restored?—A. Most certainly not. I don't know that anybody asks that at all.

Q. Now, is it not natural, and in the ordinary course of things, that the colored man should be a Republican, because the Republican party led to the acts or measures that emancipated and secured him his rights?—A. Now, I differ with you in that.

Q. In what particular?—A. If you will allow me to answer that question, I will do so.

Q. I ask you if it is not natural for the colored man to join with a party that he believes secured him his rights?—A. Oh, if he believed it, I will say certainly.

Q. That is all I ask. Then it is not at all strange the colored man should be a Republican?—A. No, sir; that is natural. He thinks they made him free, but your question is based not upon a truth.

Q. Well, I am sure the Democratic party did not make him free.—A. Now, in Ohio we claimed that the Democrats were the cause of the war, and the war was the cause of the slaves being freed, and if that was the cause the Democrats gave him freedom.

Q. I know, but was it not the logical course, the sequence of idea of the Republican party that led to freedom, and didn't it do so?—A. It did, by Lincoln's proclamation; but if the South, when Lincoln said, "Lay down your arms," had concluded to do so, the slaves would not have been freed; but he said, "If you don't do so slavery shall be wiped out." It was not a Republican measure, not a Republican movement, at all.

Q. Were not the constitutional amendments Republican measures?—A. Oh, yes; the civil-rights bill and all.

Q. Were they not opposed by the Democratic party?—A. Yes, sir; certainly; but I have heard, I presume, more than a hundred times hundreds of people say that they would not have slavery back to-day if they could get it. Now, I have been in Danville this year since the riot, and I am candid and honest in saying, as I think any other person must be, that you can see a very perceptible change in the darkies down there to what there was a year ago.

Q. You think it was good to shoot into them?—A. I think there never was the same quantity of blood shed that did so much good; but I am only sorry that it was all black—was not the blood of these men who had misguided them.

Q. You say you think it was a good thing to shoot into them?—A. Oh, no; that is not an offense that was justifiable, of course, in taking life.

WASHINGTON, D. C., *Tuesday, April 15, 1884.*

The committee met at 10 o'clock a. m. Present, Mr. Sherman and Mr. Vance.

THOMAS E. BLAKEY sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. At Tappahannock, Essex County, Virginia.

Q. Where do you vote; at the same place?—A. At Tappahannock; yes, sir; at that voting precinct. That is the county-seat.

Q. Were you present at the voting there on the last election, in November, 1883?—A. I was.

Q. Did you see a company of armed or partially armed negroes approach the polls during the proceeding of the election?—A. Yes, sir; about the middle of the day, I think.

Q. Just relate what you saw, if you please.—A. A party of several couriers, as it were, mounted on horseback and dressed up in regalia, and with some sabers, had ridden in several times and announced that they had 90-odd voters—some said 90, some said 100 voters—out about a mile from town, and pretty soon after that I heard drums beating, saw flags flying, and they came into town, some in wagons, about twenty or more mounted on horseback riding in front, armed with these swords—some of them with these sabers. They marched something around town; did not first approach the polls, but marched around, cheering as they went, and hurrahing for Rosler, who was the Coalition candidate, and then marched before the court-house, where the voting took place, passed down another street, and came back and formed in front of the polls. They had their leaders with tens, I believe. They formed a line in front, and they marched them up ten at a time, taking possession of the polls, excluding—there was no violence, no one attempted to keep them away, of course, and they voted them in squads of ten at a time. Just as they came up each one was called off by name, and they stood there in this military array, had possession of the polls, I reckon, for an hour or more.

Q. How many of them were armed?—A. Well, sir, it is impossible to say. I suppose about ten or a dozen.

Q. Ten or a dozen were armed?—A. So far as these swords were concerned. I could not see if they had pistols, or anything of that sort.

Q. Only ten or a dozen of them that had visible arms?—A. Yes, sir.

Q. Did you see any interference with any man's right to vote?—A. Yes, sir; I did.

Q. Just relate it, please.—A. Later in the evening—it was getting late, it was very nearly time for the polls to close before this disturbance occurred; but about two hours before it did occur—a negro man named Presley Coates came in town with Mr. Wilkinson, who was the manager of the firm by which he was employed, and it had been reported currently around there that the man intended to vote the Democratic ticket, and I had heard threats made the night before that if he did attempt to vote it that they—the negroes—would see him about it. Well, when he came in he attracted some attention as he came on riding on horseback by the side of this white man. A number of negroes hollered out, “You see that; you see that; watch that nigger.” And he would not approach the polls, but hitched his horse and went down the street, and staid down there some time, and then walked around and tried to get out of the crowd and approach the court-house from the rear, but they watched him. I was noticing them watch him, and followed him up. When he got to the polls I had gone up from the court-house steps—it is well for me to state that the court-house has a portico with five or six steps leading up to it, and two large columns supporting the top of it, and the voting was done on that portico, which would accommodate twenty-five or thirty persons, probably, packed in there as they are election day. I was standing on the top step, just near the door, and I had just asked one of the judges of election the state of the polls, and I saw this negro then approach the edge of the crowd, and as he came in he was surrounded by these negroes, who demanded to see his ticket. He refused to show it, and they got around him and abused him, and told him that he had been bought; that he was a white man's nigger, and so on; and go on and vote that ticket and they would see him afterwards; and they tried to take it out of his hand. But he held it clinched tight in his hand, and Mr. T. R. B. Wright, whom you know, our Commonwealth attorney, was standing by me, and he asked him, “What ticket are you going to vote, Presley?” He said, “Never mind, Mr. Wright; I ain't going to tell anybody how I vote. I have got a right to vote as I please.” These negroes were still clustering around him; he could not get away from them; but he finally broke loose, and was somewhat incensed, probably, at the way he had been treated, and walked up and says, “I don't care who knows how I vote,” and says, “I intend to vote the straight-out Democratic ticket,” and as he ran up the steps several negroes caught him by the coat-tail and tried to pull him back, saying, “Stop him! stop him!” something of that sort, and he says, “Turn me loose,” and he swung himself around and tried to get loose, and turned clean around, and as he turned his coat fell off his shoulder and it was torn clean off of him. He could not get at the polls; there was a crowd there, and he says: “Turn me loose; I will whip any man that tries to keep me from voting,” and a man by the name of Easton Buckner—several of them pulled off their coats, but I noticed this negro particularly—he says, “Let me get at him, I will settle him.” I was standing near by, as Mr. Meanley said, with an old knife, whittling. I brought the knife with me, as I thought it might be mentioned [exhibiting the knife], and I had taken it out and was whittling on a little piece of wood—I was whittling with that little blade; this other blade was so dull it would not cut; and they run up against me and threw me back against one of these columns, and I threw up my hands this way [indicating] with the stick in one hand and

the knife in the other, throwing up both hands, knocking me back against the pillar. I did not think then they intended to do anything. This was a large brick column plastered on the outside, and then there was a general row, and somebody says, "Who are you drawing that knife on! Who are you drawing that knife on?" I was standing with both hands up in this way, and I looked around trying to see the knife, having no idea that I was the party alluded to, and thinking if they handled knives around there very carelessly I would be looking out for myself, and Buckner says, "Mr. Blakey has the knife, and I will have the heart of any man that draws a knife on me." Well, there was a considerable rush, and knowing the knife would be of no service to me in protecting myself, I slipped it into my vest pocket, and just at that time the crowd, rushing and surging as they were—this negro was not near me at that time, but several others in between him and me, but he could see me, he was rather tall and I was rather taller than those immediately around me—and I was pushed backwards down the steps, but fortunately did not loose my footing, but caught myself as I stepped backwards about as far as from here to that book-case, and as I gathered myself I saw two or three other white men——

The CHAIRMAN. Senator, do you think it is important to have all this on the record?

Mr. VANCE. It has been alluded to and I want it explained.

The CHAIRMAN. Well, go ahead.

The WITNESS. A number of young white gentlemen run up and asked me if I was hurt. I told them "No," and by that time I saw them pushing two or three others down, and they run in to protect themselves. Then we formed a line, about half a dozen of us, and told them to come on. I told them not to make any assault on them, but stand ready to repel them if they did, but after some time it was quieted, although there was a good deal of abuse. Well, this negro succeeded in voting, and as he went out he was hissed, jeered, and followed up the street. He was told by some negro women, around the polls, not to go to their houses any more, to stay with the Democrats, and so on: "Stay with the white men; he was a white man's nigger, he had been bought"; various things of that sort, and he was threatened if he came in town again they would handle him, and he had to stay out, I believe.

Q. Who was in the majority in the county, the whites or the colored?—

A. The colored are largely in the majority.

Q. Were they there on the ground on that day?—A. Oh, yes; up to the middle of the day we had polled nearly all of our votes; the white people vote generally early in the day and go home, but the negroes, unless they get there very early, about sunrise, are not apt to get there before the middle of the day, and stay all day; when this procession came up they outnumbered us two to one, I reckon, and after this row occurred there was not more than a dozen white men, all told, on the ground.

Q. Did you recognize that flag that they had in the procession?—A. Oh, they had some large flags, and then every one of these negroes had a flag in his hat.

Q. I mean the large flag; where did it come from?—A. You mean the wording on it?

Q. No, no; where did it come from—the large flag?—A. I don't know. I wouldn't state. I thought it was furnished by the custom-house officers.

The CHAIRMAN. Oh, if you only thought——

Mr. VANCE. If you thought, never mind.

The WITNESS. Yes, sir.

Q. I ask you if you recognized it?—A. No, sir. It was a United States flag.

By the CHAIRMAN:

Q. Where is this place?—A. It is in Tappahannock, Essex County.

Q. How far from Danville?—A. Oh, it is entirely across the State.

Q. The other side of the State?—A. Yes, sir.

Mr. VANCE. This witness is from the same county as Mr. Meanly, who testified yesterday—Essex County.

The committee took a recess until half past 1 o'clock.

The committee reassembled at half past 1 o'clock.

Present, Mr. Sherman, Mr. Hoar, and Mr. Vance.

Mrs. G. B. RAWLINS sworn.

Hon. J. S. WISE. Mr. Chairman, before this examination is begun, as the representative of Colonel Sims, I desire to file a letter here and give a notice. I understand that the following notice was served upon Mr. Sims:

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 7, 1884.

DEAR SIR: In accordance with our respective promises we hereby notify you that on Monday next (April 14) Senator Vance will offer before the committee evidence touching your character, as indicated by him in the latter part of your examination, and of which you spoke to us severally.

Yours, very respectfully, &c.,

L. C. BERKELEY, JR.
JOHN GOODE.

Col. WM. E. SIMS,
Washington, D. C.

Mr. Sims asked me, as his representative, to file the following paper for him:

FOLDING-ROOM OF THE UNITED STATES SENATE,
SUPERINTENDENT'S OFFICE,
Washington, D. C., April 14, 1884.

DEAR SIR: The inclosed notice speaks for itself. I know not the nature of the threatened attack on my private character or investigation of individual transactions sought; nor do I care, if I am allowed to show the animus which prompts, invents, and circulates the charges. I have reason to believe that the attempt is not for the purpose of throwing any light on the subject before you, but to blacken my character by innuendo; and I desire, if the committee sees fit to go outside of my character for veracity, to be allowed to summon witnesses touching the moral character of all the parties (including Senator Vance and Representatives George C. Cabell and George D. Wise) who are engaged, as I am informed, in the effort to blacken my character.

I am, very respectfully, yours,

W. E. SIMS.

Hon. JOHN SHERMAN,
Chairman Subcommittee on Privileges and Elections.

Now, Mr. Chairman, I desire simply to say this: To some extent, since this investigation was begun, I have been here as the affirmative counsel in the proposition that this was murder and massacre and outlawry in Danville. I honestly believed it——

The CHAIRMAN. Well, Mr. Wise——

Mr. WISE. I will get through in a moment—and therefore I wish to say that Mr. Sims has been examined here as to certain statements. If they are true it matters not what the private character of Mr. Sims is, except his character be such that from his general reputation he is not worthy of belief under oath.

The CHAIRMAN. I think——

Mr. WISE. I understand, sir, that this witness——

The CHAIRMAN. I think you had better just state your point. No question has arisen on this matter.

Mr. WISE. Then, I will state that my point is this: I give notice now, as the representative of Mr. Sims, and in the interest of public justice here, that if the effort made to introduce these witnesses is for any other purpose than to assail his general reputation for truth and veracity, I object to this investigation, unless the investigation is to be opened; and if it is opened, I give notice that I shall assail the character for truth and veracity of W. N. Ruffin, who has testified here, and file the records of Danville as to some of the signers of this circular.

The CHAIRMAN. Well, the question is not presented.

Mr. VANCE. Well, Mr. Chairman, so far as that notice is an intimation that my character is to be assailed, sir——

The CHAIRMAN. I think myself, governor, that that ought not to enter upon the records, and I shall certainly recommend——

Mr. VANCE. It is unusual, sir, and it is damnable, and I defy him and his whole hell-fired crew to assail my character, here or anywhere else. I never heard of such a proposition as carrying the war into the committee and making war against a member of the committee who is simply doing his duty as appointed and required of him by the Senate of which he is a member. It is a threat, sir, which I despise and defy and condemn.

Mr. WISE. Mr. Chairman——

The CHAIRMAN. No; now this has gone far enough. There is no necessity in an investigation of this kind to have any remarks made upon questions until they arise. If the question is presented by the offer of testimony it will then be time enough to decide it. So far as the threat to involve a member of this committee in a personal investigation as to his character and conduct is concerned, it is entirely improper. This committee would have no jurisdiction of such a controversy, nor would I be willing to enter into it, as a matter of course. And I think, therefore, that before this paper is filed all reference to a member of this committee in it should be stricken out of it. If not, I will not enter it.

Mr. SIMS. My character is as precious to me as that of any member of Congress. Mr.——

The CHAIRMAN. Your character——

Mr. SIMS. It has been reported as having been said, before the committee, that I was a dishonest man. Now, if he merely attempts to prove that, I have no objection at all.

Mr. VANCE. I said it of you with reference to the proof I had.

The CHAIRMAN. Now, Mr. Sims, if you will just sit down. You are entirely premature in any remarks made upon the subject. When the question arises, I will inform you.

Mr. BERKELEY. If you will allow me to say one word. Mr. Wise has spoken on behalf——

Mr. HOAR. I move that Governor Vance, if he has any witnesses in his case, call them. There is no part of this thing that any of the three members of the committee has anything further to do with.

Mr. VANCE. Counsel has been heard for Mr. Sims, and counsel for the people of Danville now wants to be heard.

The CHAIRMAN. I think this colloquy is premature and imprudent, in that sense that it is out of order, and I shall not, for one, consent that

any portion of it appear in the proceedings of this committee. Senator Vance, will you please proceed with your witness?

Mr. BERKELEY. We would state to the committee, sir, since there is an intimation of an attack on Colonel Cabell's character, that we would like to have him here in the committee room.

The CHAIRMAN. Well, the Senator can proceed with the witnesses. All we have to do is to proceed with the witnesses. You can send anybody you choose for Colonel Cabell.

Mr. VANCE (to witness):

Question. Where do you reside?—Answer. In Baltimore.

Q. Are you acquainted with Mr. William E. Sims?—A. I am.

Q. How long have you known him?—A. About seven years.

Q. Can you say what his general character is as an honest man?

The CHAIRMAN. Now, just wait a moment, please. Senator, in respect to the question that is now presented I am not disposed to acquiesce in this kind of examination without the direction of the Committee on Privileges and Elections. While ordinarily the general character for truth and veracity of a witness is always involved whenever he is sworn, yet this question goes beyond that, and extends to his general character for honesty. It would be improper upon that ground, and also upon the broader ground. If this was a question extending only to his credibility as a witness, to his character for truth and veracity, I do not think we would be justified in going into that kind of testimony at this stage of the inquiry. It would lead us to innumerable side issues, to innumerable personal quarrels having no bearing at all upon the investigation, and only tending to destroy the moral effects of what has already been stated. Mr. Sims was examined here as a witness mainly upon questions of political opinion, and upon his own acts and motives as a candidate for the senate of Virginia from the Danville district. If any fact stated by him is disputed or can be disputed by a witness it would be proper for this committee to hear it, and perhaps in ordinary cases we might, at our discretion, go so far as to allow testimony bearing upon his general credibility—his character for truth and veracity; but it seems to me that in Colonel Sims's testimony there was no fact stated that could not be proved or disproved by direct testimony. It is always within the power and discretion of the committee to allow or refuse testimony of general character, and it seems to me the discretion ought to be exercised by us in this case. I am not willing to enter upon this character of testimony, and to open up the door to personal quarrels and controversies about personal character for honesty and good conduct. General testimony of this kind by witnesses who do not profess to know about the facts we are investigating, I am not willing to receive unless directed to do so by the general committee itself. Therefore I object to the reception of this testimony, and will report the matter, with your consent, to the committee and let them determine. If they determine, on the whole, that the proper groundwork has been made for this testimony, why, then, I will sit it out and proceed with it. Until then I object.

Mr. VANCE. Well, sir, if you will permit me, I will state the ground upon which I propose to ask this question.

The CHAIRMAN. Certainly; it is very proper for you to do so.

Mr. VANCE. It is a fact stated by the witness Sims that I propose to disprove, and if that involves his character it cannot alter the testimony. He has stated, and the impression has been sought to be made by his testimony and others', that he was defeated as a candidate for the

senate from the county of Pittsylvania by the violence and illegal acts of the Democratic party, this Danville riot being the chief of them. And he alleged that the ticket on which he ran was composed of the following persons: W. E. Sims for the senate, W. W. Cobbs, J. M. Adams, and Beverly A. Davis for the house of delegates. They were all white men, of good, conservative records; were conservative citizens, and all Southern men, born and raised. Some of them, if not all, were men of means, against whose character nothing could be said, and the party seemed desirous to give no excuse for the race issue.

I propose to prove by the witness I have on the stand that this man was not of good record and not a man of good character, and therefore that he might have been defeated because of his bad character and bad record, and with that view I offer this testimony.

The CHAIRMAN. Well, in the view stated by you I would say that to open up the inquiry upon a mere general declaration of this kind as to the good character and standing of the persons, each side would have to be heard.

Senator VANCE. Certainly, sir; but he put his own character in issue as a fact in his testimony.

The CHAIRMAN. He states the fact; but to open up an inquiry upon that statement as to the character of candidates upon that ticket or any other ticket would be to prolong this investigation to an indefinite degree; would depart from the purpose and object of the investigation, and would, it seems to me, be bad in policy and not proper for a committee of this body or even of a court. I think, therefore, that I shall have to adhere to my objection and report the facts which will be shown by the transcript of the proceedings here to the committee.

Mr. VANCE. Well, sir, of course I can't get the testimony or the record without the consent of the subcommittee; but I want it understood now, and I want that to go on the record, that I propose to prove that this man is a thief, that he stole the bonds of this witness who is on the stand here, and that he is utterly unworthy of belief, and that inasmuch as he has blackened the character of some of the best men in the city of Danville, I propose to show who he is.

The CHAIRMAN. In response to that I will say that the witness has desired the utmost scrutiny into his conduct, and is here ready to demand of us to summon witnesses to sustain his good character and good conduct, if we go into that. The whole object of this investigation, to search for the truth of the transactions in Danville, would be utterly lost sight of, and, therefore, I must turn this personal controversy over to the people affected to decide in their own way.

Mr. VANCE. I want to say further what I hope is apparent, that I had no feeling in this world in this matter, simply except as a member of this committee and a Democrat. Of course I had feeling to the extent of desiring that these people should be vindicated, because they are my people. But now that these vile and infernal insinuations have been made in regard to me, I want to see this matter through, and I intend to see it through, in the Senate of the United States or anywhere else.

Mr. WISE. Mr. Chairman, I merely want to say—

The CHAIRMAN. This matter is now determined, Mr. Wise.

Mr. WISE. I understand that, but I think it is due to Mr. Sims simply not to allow the statement that proposes to show that this man is a thief, that he stole the bonds of this lady on the witness stand, and that he is unworthy of belief—not to allow it to go unanswered by saying that Mr. Sims hurls back the imputation into the teeth of its author,

and at the proper time and at the proper place he will prove it is a falsehood in the whole cloth.

The CHAIRMAN. Now, I think we have had sufficient. We had better proceed.

Mr. VANCE. I make this, of course, not of my own knowledge; but I make it upon authority of the witnesses who are here ready to prove it.

The CHAIRMAN. Well, proceed with any other witnesses that you may have.

Mr. VANCE. I cannot proceed if you don't allow the witness to go on and answer the question.

The CHAIRMAN. Have you any other witnesses on any other point?

Mr. VANCE. Do I understand the committee to rule that this lady cannot testify to the general character of Sims?

The CHAIRMAN. Yes; upon this as it stands now, I object to any testimony affecting general character, either for honesty or anything else, unless the Committee on Privileges and Elections shall direct us to proceed to examine into the character of Mr. Sims, or other witnesses. I desire to say that I wish to avoid an indefinite prolongation of this investigation.

Mr. VANCE. I believe that all the witnesses I have present are in relation to this matter that I propose to investigate.

Mr. HOAR. Mr. Chairman, I have not heard the testimony in this matter, and have come in only for a little while to take the place of Mr. Lapham, who is absent, a member of the subcommittee; but I would like simply to say for myself that I understand the question of the character of the candidate is to be settled by a majority of the people, and that nothing therefore would be open about Mr. Sims ordinarily except the question of his veracity—the verity of what he states; and I should think the committee would go into that question in very rare cases with all the testimony of the witnesses to be impeached. If it should turn out, on looking at the whole case, that some important fact depended upon his testimony—a fact important and material to the issue depended upon his testimony, and that the circumstances were such that we should in finding that fact find it affected by the question whether we believed him to be a man of good moral character or not, then I should think it would be proper to go into it. Therefore, without deciding finally the question, I should be in favor of reserving this question until the whole of the case was in, and then if the full committee on examining the testimony found that it would make a difference in their report of any single fact in this case whether they found Mr. Sims to be or not to be such a person as Brother Vance proposes to show, then I should open the case and send for the witnesses. Of course, in that condition of things, he would have a right to have any witnesses on the other side supporting him. That is the view that I take of it for one.

Mr. VANCE. Well, sir, of course I am at the mercy of the majority of the committee.

The CHAIRMAN. Have you any other witnesses here upon other points whom you wish to examine? I desire to say that this communication, including Governor Vance in it, should be amended, or else it will not appear upon the record at all.

Mr. VANCE. Sir?

The CHAIRMAN. All reference to you on this subject I will not receive. I do not ask you to decide it, but I will not receive it.

Mr. VANCE. It is a matter of indifference to me. Colonel Cabell is present, and, as he has been alluded to, I ask that he be heard.

The CHAIRMAN. He has not been alluded to or put on trial, at all.

Hon. GEORGE C. CABELL. In a general way I wish to state that I am ready for any investigation, or anything that may occur, now or at any time. I do not know what has been said or what has been intimated; but I have this to say, that I am perfectly ready and willing to answer now or at any time for anything, and I defy mortal man to impeach in any manner, shape, or form my character from my birth down to to-day in any manner.

Mr. VANCE. The witnesses whom I have summoned here as to transactions with Mr. Sims can be discharged, I suppose.

The CHAIRMAN. Certainly.

JOHN A. PARKER sworn and examined.

By Mr. VANCE:

Question. Where do you reside?—Answer. In Essex County, Virginia.

Q. How long have you resided there?—A. Fifty odd years.

Q. You are well acquainted, then, with the people there of both races?—A. I think I am, sir.

Q. Where were you on the day of the last election in Virginia?—A. In Tappahannock.

Q. Did you see any disturbance or disorder on the day of election in Tappahannock?—A. I did, sir.

Q. Please relate it.—A. Am I to relate what I witnessed?

Q. Yes, sir.—A. In the commencement, on going into the street on the morning of the day of the election, I was struck with a large military parade of colored men. They were in uniform, seemed to be officered, and they were passing through all the streets, drums beating, flags flying, &c. I returned to my house after awhile, and about 12 o'clock I went up to the polls to cast my vote. On getting there I found that this military concern had taken possession of the polls. I suppose there were between one and two hundred. I found that there was a cordon around the court-house, and I could not approach it. I discovered that they would be dismounted by tens and fifteens, walked up to the polls and voted, and remounted, remaining in their position. I retired, and in about two hours afterwards I went up and then, and not until then, was I able to cast my vote. So much for the military matter.

Q. Were these military armed?—A. Well, sir, they had swords. I believe I didn't see any pistols. They might have had them. I saw none, however. They are famous for arming themselves with razors, and they were not exhibited, of course. They had swords and all the paraphernalia necessary to make nice military parade. Nearly all of them had flags. I never saw as many flags in my life. They looked very pretty to the eye; but I suppose the polls were in the possession of this military concern about an hour, or an hour and a half perhaps. During my first walk up the street I discovered some fifteen or twenty colored men in a circle, and in that circle there was one colored man who seemed to be a good deal excited. He appeared to be anxious to get out of this circle, and he appeared to be penned in in such a way that he could not get out of the circle. As I returned I saw the same thing, and was induced to ask what was the cause of this man's being in this circle. The reply was that he was anxious to vote the Democratic ticket, but that these colored men would not suffer him to leave the circle. I paid no more attention to that, but returned about night. About the time I supposed the polls were going to be closed I again walked up to the court-house, and this circle was still around this man. I took my

station not in the crowd but a little distance off, and whilst there I saw this man who had been in the circle rushing up to the court-house, and a considerable number of colored men after him. When he got to the second step he was pulled down; a proclamation had been made that the polls would be closed in a few moments. This man seemed to have broken loose, and was approaching the voting places. There were several gentlemen standing around the pillars at the time, and I noticed two particularly. One was an editor of the paper there, Mr. Read, who I think testified here, and a gentleman by the name of Blakey. They appeared to be there trying to ascertain the result of the vote. In the twinkling of an eye almost I heard some of the boys say, "Why he has got a knife in his hand." Well, I had observed this Mr. Blakey with a little penknife cutting something, as Virginians very often do. It was a small knife. He certainly did not draw it on that occasion, because he had it in his hand. Well, I lost sight of the colored man then for a moment, and these two gentlemen were pitched out and apparently very roughly handled and lit on the lower part of the steps. It appeared to me that even their lives were jeopardized. That, of course, produced a good deal of excitement, and during this excitement this man Coates, the colored man that I spoke of, slipped in and cast his vote—the last vote that was cast. As soon as he had cast it he ran down the steps and started for the country. I suppose some twenty or thirty or forty of the colored men followed him and offered him every sort of indignity. This was the only thing that I saw the whole day that indicated any bad feeling. I never have seen an election conducted with more quietude and more propriety and better feeling. Immediately this gentleman, Mr. Blakey, who is known to be a man of a good deal of spirit—immediately he was thrown down in this rude manner, his friends took him and took him off, for I was apprehensive as they were that he would have drawn a weapon if he had it and probably used it, and I urged that he should be taken out of the excitement so as not to produce any more excitement or any bloodshed. This was done. That is all I saw. I believe I am perfectly impartial.

Q. Well, of course you have a knowledge of the disposition and treatment to each other of the white people and the black people in the State of Virginia?—A. I think I have.

Q. What do you say that disposition is?—A. I think it has been exceedingly kind; exceedingly kind. Now, if the committee will indulge me, I would like to make one or two remarks in relation to the different classes of the colored people. There are three classes, the mulattoes, the molungins, and the eboshins, as they used to be classed.

The CHAIRMAN. You will have to define those terms, as I am not familiar with them.

The WITNESS. They were of the old issue. Their society was regulated pretty much after the order in which I speak them, the mulattoes, the molungins, the eboshins. The eboshin of course was the African. Well, I never knew a set of people to behave better than they did during the war, or since the war with some exceptions. The feeling was kindly on their part towards their late masters, and on the part of the masters towards those colored men. But there is another class, and I want the committee to listen to me on that point—that class of colored people that came forward about the war, and after the war, are wholly a different class from the old negroes. They don't seem to realize that freedom means anything else than freedom from work, freedom from care. They are being brought up vagrants. If you give them a little education they think they are prepared for professorships at the university. They don't seem to realize their position at all. It is a different class altogether

from the old issue, and we have more fear from the many vagrants that are being educated and being brought up from that class than from all the rest put together. They are idle and they are worthless, and they will throw off all obedience and allegiance to the parents. In my village I suppose there are two or three hundred such. Now, if the committee will further pardon me, I will state what occurred directly after the war. The largest county—one among the largest counties in the State—held a meeting soon after the close of the war. I happened to preside over it, and we recommended very strongly the revival of the old apprentice system as infinitely better for the rising generation of negroes as well as the whites. I was deputed to lay the matter before the President of the United States and the Secretary of State. I personally did so, to invoke their moral influence. We didn't ask for legislative influence, but we wanted moral influence to enable us to revive the apprentice system. The Secretary of State received me very kindly and appeared to coincide with me very fully as to the best course to be pursued. I then went to see President Johnson, but whilst he conceded that it would be infinitely better —

The CHAIRMAN. Mr. Parker, all this is very interesting, but it is not——

The WITNESS. I will just close it in one moment; I didn't intend to be prolix. He intimated that it would be a wise system, but he was apprehensive that they could not venture their moral influence, because it would smack too much like the establishment of slavery, and therefore it had to be abandoned.

By Mr. VANCE:

Q. On the whole, you say that between the old colored people who were slaves and the white people there was and is the kindest of relations?—A. The best feeling imaginable.

Q. Do you know of any disposition anywhere among the white people of Virginia to prevent them from the free exercise of their rights at the ballot-box?—A. I have never known of one instance. I believe the whites—I am sure I can speak for myself—would promptly come forward to sustain them in any right which the Government or Constitution and laws has given them.

Q. Do you think that the unfortunate occurrences at Danville had any influence upon the late election?—A. It could not have had, for this reason: We are away from the railroad and telegraph wires; we never got that news until Monday night, and only at the county seat then; it could not have been known in the county. Now, on the next morning when it was talked of, if it had any effect at all it was to stimulate both parties. I could not conceive that there was the least effect except to make both parties very active and industrious, and I am sure I can speak independently, for I belong to no party, really.

By the CHAIRMAN:

Q. You say you belong to no party?—A. At this time I belong to no organization.

Q. Which ticket did you vote at the last election?—A. I voted the Democratic ticket at the last election.

Q. Well, this affair at your election precinct you didn't regard as any very serious matter. It grew out of a quarrel over that colored man's vote?—A. I did regard it as a very serious matter, because I thought it was likely to lead to bloodshed.

Q. Yes; but in the outcome the man got his vote in?—A. He got it as I explained.

Q. And there was no bloodshed or fighting?—A. There was not.

Q. There was some excitement growing out of the fact that a man had an open knife in his hand?—A. A good deal of excitement. And I desire to say that I have always been a Democrat up to 1872, and am now a Democrat, but I got a little cooled off by Mr. Greeley; but I belong to no organization.

Hon. JOHN S. WISE. I would like the attention of the committee for a moment. If this controversy about Mr. Sims's letter is to go in the record, I would like to say that Mr. Sims handed me his letter, requesting me to lay it before the committee. I obeyed his request without regard to the contents, of which I had only a general knowledge that it was a demand that if he was assailed he claimed the right to defend himself. I wish to disclaim any responsibility for the allusions therein to Senator Vance, Mr. Cabell, or Mr. George D. Wise, as I am utterly ignorant of any charges which Mr. Sims may have to make against them, or either of them, or the character of his testimony, if he has any.

The CHAIRMAN. Now, in regard to that letter of Mr. Sims, so far as it refers to Senator Vance as a member of this committee, I feel disposed to exclude it from the record, but I will leave that entirely to the Senator himself.

Mr. VANCE. I prefer that it should all go in. It will go into the newspapers, and I prefer it should all go in. The stenographer will take it down just as it was offered.

The CHAIRMAN. All right, then. These papers shall all go in. Have you any other witnesses, Senator; if not, I suppose we may as well close?

Mr. VANCE. So far as I am concerned, while there are other witnesses who have been summoned by telegraph and are not here, and some that I am requested to summon, I am perfectly willing to close the matter so far as our side may be said to be represented.

The CHAIRMAN. Very well, then; it may be considered as closed.

Mr. VANCE. I would like to have the judgment of the full committee upon the propriety of the exclusion of this impeaching testimony.

The CHAIRMAN. That is understood.

Mr. VANCE. Mr. Wise was alluded to in that paper, and he would like to make a little statement.

Hon. GEORGE D. WISE. Mr. Senator, I have come in here and had put in my hand a letter from one William E. Sims, about whom I know nothing and about whom I don't care anything. I am not a party and know nothing about his character, one way or the other. He states in this letter that he wants to investigate my character. I want to say to this committee, and to the country, that I will give him or any other man the fullest opportunity to do that. That is all I wish to say in regard to it. I am no party to any evidence, and know nothing about the investigation of his character. I have not had anything to do with this investigation except to be a witness when I was summoned, but whenever he is ready, or any other man, I am ready, and I want that to go upon the record.

The CHAIRMAN. I am glad to see all the witnesses are ready to defend their characters. If we had time enough before us we would do it, but it is sufficient to say that there has been nothing said affecting the character of either gentleman named in that letter, and it is not worth while to look after testimony in an issue that is not presented to us. Also, in justice to Mr. Sims, it should be said that he seems as anxious to have this inquiry gone into as any one else, but we do not propose to do it without the order of the committee.

The subcommittee adjourned subject to the call of the chairman.

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